

and E. R. Brady Post, No. 242, Brookville, Pa., Grand Army of the Republic, favoring a bill providing pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and increasing widows' pensions to \$12 per month—to the Committee on Invalid Pensions.

By Mr. KERN: Resolutions of the Labor Union No. 8060, of New Athens, and Labor Union No. 8997, of Salem, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Lodge No. 545, Brotherhood of Railroad Trainmen, of East St. Louis, Ill., in support of the bill known as "the Foraker-Corliss safety-appliance bill"—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Ellsworth Post, No. 669, Grand Army of the Republic, Columbia, Ill., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. LANHAM: Resolutions of Lodge No. 491, Brotherhood of Locomotive Firemen, Austin, Tex., favoring an educational restriction on immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of the same lodge, in favor of the exclusion of the Chinese—to the Committee on Foreign Affairs.

By Mr. LITTLEFIELD: Petition of citizens of Thomaston, Me., for an appropriation for a monument to the memory of Maj. Gen. Henry Knox—to the Committee on the Library.

Also, resolutions of Pine Tree Lodge, No. 366, Brotherhood of Railroad Trainmen, for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LLOYD: Protest of 54 merchants of Clarence, Mo., against the enactment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Canton, Mo., asking for the passage of House bills 178 and 179—to the Committee on Ways and Means.

By Mr. MAHON: Resolutions of Surgeon Charles Bower Post, No. 457, Newton, Pa., and A. G. Tucker Post, No. 52, Lewisburg, Pa., Grand Army of the Republic, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: Paper to accompany House bill 13451, to correct the military record of Charles Mohn—to the Committee on Military Affairs.

Also, papers to accompany House bill 12382, granting a pension to William Sands—to the Committee on Invalid Pensions.

Also, resolutions of Robert Oldham Post, No. 527, and L. F. Chapman Post, No. 61, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

Also, resolutions of Street Railway Employees, Division No. 169, of Easton, Pa., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolution of Onoka Lodge, No. 211, Brotherhood of Locomotive Firemen, Easton, Pa., asking that the desert-land laws be repealed, etc.—to the Committee on the Public Lands.

Also, resolutions of Onoka Lodge, Brotherhood of Locomotive Firemen, and Electrical Workers' Union No. 91, of Easton, Pa., favoring the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. OTJEN: Petition of J. E. Rivers and other citizens of Wisconsin in favor of House bills 178 and 179, reducing the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. PERKINS: Resolution of Milkmen's Protective Union No. 8744, Rochester, N. Y., favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. POWERS of Maine: Paper to accompany House bill for the relief of Franklin Palmer—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: Paper to accompany House bill for the relief of Carter B. Harrison—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of B. C. Knapp—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Federal Labor Union No. 6620, of Fort Wayne, Ind., favoring the restriction of the immigration of cheap labor from the south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Petition of Buffalo Branch of International Musical Union, asking for amendment of section 5 of the immigration law to protect American musicians—to the Committee on Immigration and Naturalization.

By Mr. SMITH of Kentucky: Papers to accompany House bill granting an increase of pension to John W. Simpson—to the Committee on Invalid Pensions.

By Mr. STARK: Papers to accompany House bill 13320, granting an increase of pension to Charles E. Simmons—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: Paper to accompany House bill for the relief of the heirs of C. H. Foy—to the Committee on War Claims.

Also, papers to accompany House bill for the relief of R. N. White—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill 13499, granting a pension to Adam Young—to the Committee on Invalid Pensions.

By Mr. WILSON: Resolutions of Levi P. Morton Club, of Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Sam Smith Protective Union, No. 9099, of Brooklyn, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. YOUNG: Petition of Miriam Hibbs and other citizens of Philadelphia, Pa., for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

Also, petition of John Kilinski Society, of Philadelphia, Pa., favoring the passage of House bill 16—to the Committee on the Library.

Also, petition of Typographical Union of Philadelphia, Pa., urging the defeat of House bill 5777 and Senate bill 2894, amending the copyright law—to the Committee on Patents.

Also, petition of the Woman Suffrage Society of the county of Philadelphia, Pa., asking for the appointment of a commission to investigate woman suffrage in Western States—to the Committee on the Judiciary.

By Mr. ZENOR: Resolutions of Clark Lodge, No. 297, Brotherhood of Locomotive Firemen, Jeffersonville, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

## SENATE.

THURSDAY, April 10, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, without objection. It is approved.

SURG. GEN. GEORGE M. STERNBERG.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Surgeon-General of the Army, giving his reasons why Congress should retire him with the rank of major-general in the Army of the United States on the 8th of June next; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

### THE TRANSPORT SERVICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of January 21, 1902, a letter from the Commissary-General, inclosing a revised exhibit showing the cost to the Subsistence Department of the United States transports plying between the United States and the Philippine Islands during the year ended December 31, 1901, etc.; which, with the accompanying papers, was ordered to lie on the table, and be printed.

### SPANISH TREATY CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 24th ultimo, a list of the claims which he is now defending before the Spanish Treaty Claims Commission, together with the number, the names and residences of all the claimants, the citizenship, etc.; which, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed.

### PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented a memorial of Typographical Union No. 284, of Anderson, Ind., remonstrating against the adoption of certain amendments to the copyright law; which was referred to the Committee on Patents.

He also presented petitions of the Puritan Bed Spring Company, of Bass and Woodworth, and of the Western Furniture Company, all of the city of Indianapolis, in the State of Indiana, praying for the adoption of certain amendments to the interstate-commerce law; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Joseph C. Miller Post, No. 498, Department of Indiana, Grand Army of the Republic, of Avon, Ind., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of Textile Workers' Local Union No. 155, of Fort Wayne, and of Machinists' Local Union, of Indianapolis, in the State of Indiana, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. GAMBLE presented a memorial of Typographical Union No. 218, of Sioux Falls, S. Dak., remonstrating against the adoption of certain amendments to the present copyright law; which was referred to the Committee on Patents.

Mr. MCOMAS presented memorials of sundry citizens of Showell and Berlin, in the State of Maryland, remonstrating against the repeal of the present canteen law; which were referred to the Committee on Military Affairs.

He also presented a petition of the Twenty-sixth Encampment of the Department of Maryland, Grand Army of the Republic, of Baltimore, Md., praying for the enactment of legislation providing for such military instruction in the public schools as will be largely directed to improvement in marksmanship with the rifle; which was referred to the Committee on Military Affairs.

He also presented a petition of the Twenty-sixth Annual Encampment of the Department of Maryland, Grand Army of the Republic, of Baltimore, Md., praying for the enactment of legislation to remove the objections to and secure a commission in the Army of the United States to George L. Fisher; which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Baltimore, Md., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of the Granite Cutters' Union, American Federation of Labor, of Baltimore; of Blacksmiths' Local Union No. 121, American Federation of Labor, of Baltimore, and of Reno Post, No. 4, Department of Maryland, Grand Army of the Republic, of Hagerstown, all in the State of Maryland, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a memorial of sundry citizens of Baltimore, Md., remonstrating against the adoption of the London landing clause to steamship bills of lading; which was referred to the Committee on Commerce.

He also presented petitions of Chesapeake Council, No. 16, Daughters of Liberty, of Havre de Grace; of Independent Trades Council, American Federation of Labor, of Cumberland, and of the Granite Cutters' Union, American Federation of Labor, of Baltimore, all in the State of Maryland, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a petition of sundry members of the Junior Order of United American Mechanics of the State of Maryland, praying for the enactment of legislation to suppress anarchy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Maryland, praying for the adoption of certain amendments to the internal-revenue laws relative to the tax on distilled spirits; which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Stockton, Cal., praying that an appropriation be made for the construction of a diverting canal to carry the flood waters of Mormon Channel into the Calaveras River; which was referred to the Committee on Commerce.

He also presented memorials of Typographical Union No. 198, American Federation of Labor, of Fort Worth, Tex.; of Typographical Union No. 182, American Federation of Labor, of Akron, Ohio, and of Typographical Union No. 87, American Federation of Labor, of Houston, Tex., remonstrating against the adoption of certain amendments to the copyright law; which were referred to the Committee on Patents.

Mr. HOAR presented a petition of the Boston Fruit and Produce Exchange, of Boston, Mass., praying for the adoption of certain amendments to the interstate-commerce law enlarging the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. ELKINS presented a petition of Lodge No. 236, Brotherhood of Locomotive Engineers, of Hinton, W. Va., praying for the enactment of legislation to exclude the Chinese; which was ordered to lie on the table.

He also presented a petition of sundry telegraph operators of the Chesapeake and Ohio Railroad, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and in-

junctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of Lodge No. 236, Brotherhood of Locomotive Engineers, of Hinton, W. Va., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and for the passage of the so-called Foraker-Corliss safety appliance bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of West Virginia, praying for the adoption of certain amendments to the internal-revenue laws relative to the tax on distilled spirits; which was referred to the Committee on Finance.

He also presented a petition of Lodge No. 1, Knights of Fidelity, of Wheeling, W. Va., praying for a reduction of the internal-revenue tax on whisky; which was referred to the Committee on Finance.

Mr. CULLOM presented the petition of John Buell and 43 other citizens of Geneseo, Ill., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. BATE presented a petition of sundry citizens of Unitia, Tenn., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (H. R. 2062) to authorize the Western Bridge Company to construct and maintain a bridge across the Ohio River, reported it with an amendment.

Mr. McMILLAN, from the Committee on Commerce, reported an amendment proposing to appropriate, not exceeding \$45,000, for constructing a modern steel auxiliary steamship, with a fog signal, for Southeast Shoal, Point au Pelee Passage, Lake Erie, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

He also, from the same committee, reported an amendment proposing to appropriate \$4,000 for the maintenance of a light-ship on Southeast Shoal, Point au Pelee Passage, Lake Erie, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. WETMORE, from the Committee on the Library, reported an amendment proposing to appropriate \$3,000 for the purchase of marble busts of the late Justin S. Morrill, a Senator from Vermont, and the late Daniel W. Voorhees, a Senator from Indiana, to be placed in the Congressional Library building, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 5113) to provide for the purchase of a site and the erection of a public building thereon to be used for a Hall of Records, reported it without amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Commerce, to whom was referred the amendment submitted by Mr. QUARLES on the 8th instant, proposing to appropriate \$15,000 for the establishment of a light-ship to mark the shoal known as Peshtigo Reef, in Green Bay, Wisconsin, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. TALIAFERRO, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6699) granting a pension to Esther A. C. Hardee;  
A bill (H. R. 10090) granting a pension to James F. P. Johnston;

A bill (H. R. 11924) granting an increase of pension to Lewis H. Delony;

A bill (H. R. 12697) granting a pension to M. C. Rogers; and

A bill (H. R. 12136) granting an increase of pension to Stephen May.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 3321) granting a pension to Patrick J. Murphy, reported it with an amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5910) granting an increase of pension to Reuben Wellman; and

A bill (H. R. 2919) granting a pension to Christiana Steiger.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the amendment submitted by Mr. MITCHELL February 17, 1902, proposing to appropriate \$20,000 for additions and

improvements to the Columbia River Quarantine Station, near Astoria, Oreg., reported it with an amendment, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 4992) to provide an American register for the bark *Homeward Bound*, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (H. R. 9018) granting a pension to Ida D. Greene, reported it without amendment, and submitted a report thereon.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (H. R. 3264) granting an increase of pension to William B. Matney, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2461) granting an increase of pension to George W. McDowell, reported it with amendments, and submitted a report thereon.

Mr. MCCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 4238) granting an increase of pension to Philo F. Englesby, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted a report thereon:

A bill (S. 3279) granting a pension to John Coolen;

A bill (H. R. 9290) granting a pension to Frances L. Ackley; and

A bill (H. R. 611) granting an increase of pension to Theodore F. Collins.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4393) granting an increase of pension to William M. Hodge; and

A bill (H. R. 8415) granting a pension to Mary L. Dibert.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6895) granting an increase of pension to Richard P. Nichols; and

A bill (H. R. 9415) granting an increase of pension to James Matthews.

#### PROTECTION OF NATIVE RACES AGAINST INTOXICANTS.

Mr. PLATT of New York. From the Committee on Printing I report a resolution, and I ask for its present consideration.

The resolution was read, as follows:

*Resolved by the Senate.* That there be printed, in pamphlet form, 10,000 additional copies of Senate Document No. 200, entitled "Protection of native races against intoxicants," being a compilation of treaties and laws for the protection of native races against intoxicants, with extracts from messages of Presidents and ex-Presidents and justices of the Supreme Court, for distribution by the Senate.

Mr. HOAR. I should like to inquire what are the native races. Are we foreign races, and are we not to be protected against intoxicants?

Mr. PLATT of New York. We are not included in this publication, and the resolution does not apply to the Philippines, either.

Mr. HOAR. I do not object to the Senator's resolution, of course; but it strikes me that the title is a little curiously worded. I have great respect for the movement for protection against intoxicants. However, as I understand the title, we are not native races, but some classes of foreigners are.

Mr. PLATT of New York. We leave that for the Senator to decide after he reads the document. There are only \$85 involved in the printing.

Mr. HOAR. If we can be protected against intoxicants for \$85, I will not object. [Laughter.]

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

#### ABBIE GEORGE.

Mr. GALLINGER. Mr. President, about three weeks ago a bill granting an increase of pension to Abbie George passed the Senate and likewise passed the House of Representatives. It seems that there was a mistake in the service of the soldier. It was given as Company F, Twenty-sixth New York Infantry, instead of Company F, Twenty-sixth New York Volunteer Cavalry. It was one of those little mistakes that will occur sometimes. The President was requested by a concurrent resolution to return the bill to the Senate, and it was returned. I now report a new bill, which was introduced on the 5th instant by the Senator from Vermont [Mr. DILLINGHAM], with the soldier's service corrected,

and I ask unanimous consent that it be put upon its passage. It is Senate bill 4969.

There being no objection, the bill (S. 4969) granting an increase of pension to Abbie George was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abbie George, widow of Rufus L. George, late of Company F, Twenty-sixth Regiment New York Volunteer Cavalry, and to pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 5125) granting an increase of pension to William H. Cummings; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MCCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5126) for the relief of William O. Saville (with an accompanying paper);

A bill (S. 5127) for the relief of William A. Wroe (with an accompanying paper);

A bill (S. 5128) for the relief of Sarah E. Cady;

A bill (S. 5129) for the relief of the heirs of Michael Carling, assignee of Joseph R. Shannon, deceased;

A bill (S. 5130) for the relief of the estate of Richard Lawson (with an accompanying paper); and

A bill (S. 5131) to refund to the city of Annapolis, State of Maryland, money expended in said city in paving College avenue and North West street in front of United States Government property.

Mr. MCCOMAS introduced a bill (S. 5132) to place Henry Biederbick, Julius R. Frederick, Francis Long, and Maurice Connell on the retired list of enlisted men of the Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5133) granting an increase of pension to Augusta Neville Leary; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 5134) for the relief of R. A. Myrick; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5135) for the relief of the estate of Samuel D. Kelley, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. ELKINS (by request) introduced a bill (S. 5136) for the relief of Emmert, Dunbar & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5137) for the relief of Elizabeth M. Earle, administratrix of the estate of J. B. Earle, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 5138) granting a pension to Eli B. Riggs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KITTREDGE introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5139) granting an increase of pension to Henry C. Hyde;

A bill (S. 5140) granting an increase of pension to Dudley Cary; and

A bill (S. 5141) granting an increase of pension to Charles Barrett.

Mr. SIMON introduced a bill (S. 5142) granting a pension to Daniel J. Cooney; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BEVERIDGE introduced a bill (S. 5143) granting an increase of pension to William P. Rhodes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5144) granting an increase of pension to James S. Cox; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MILLARD introduced a bill (S. 5145) granting an increase of pension to John Harris; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5146) granting an increase of pension to John G. Snook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DEBOE introduced a bill (S. 5147) granting an increase of pension to Madison Sullivan; which was read twice by its title,

and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5148) granting a pension to John W. Kinney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5149) for the relief of William R. Ballard; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 5150) granting an increase of pension to Joseph Taylor; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 5151) to extend the benefits of the act of June 27, 1890, to the members of the company of Indian scouts under command of Brig. Gen. Alfred Sully in 1864 and 1865; which was read twice by its title.

Mr. GAMBLE. To accompany the bill, I present a memorandum to it, which I move be printed as a document and referred, together with the bill, to the Committee on Pensions.

The motion was agreed to.

Mr. DUBOIS introduced a bill (S. 5152) granting an increase of pension to Marcellus M. M. Martin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 5153) granting an increase of pension to Eri W. Pinkham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 5154) for the relief of William H. Crook; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAIRBANKS introduced a bill (S. 5155) granting an increase of pension to John V. Lambertson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 5156) granting a pension to Effie Cochnower; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5157) granting an increase of pension to Elizabeth M. Muller; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. VEST introduced a bill (S. 5158) to provide for the purchase of a site and the erection of a building thereon at Kirksville, in the State of Missouri; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. DANIEL (by request) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5159) for the relief of the heirs of John H. Rixey, deceased;

A bill (S. 5160) for the relief of the estate of Sina Hughlett, deceased;

A bill (S. 5161) for the relief of James K. Skinker;

A bill (S. 5162) for the relief of the heirs of John B. Almond, deceased;

A bill (S. 5163) for the relief of the estate of W. H. Harrison, deceased;

A bill (S. 5164) for the relief of the estate of John B. Crenshaw, deceased;

A bill (S. 5165) for the relief of Pickrell & Brooks;

A bill (S. 5166) for the relief of William Mason;

A bill (S. 5167) for the relief of John N. Bell;

A bill (S. 5168) for the relief of the estate of Richard M. Harrison, deceased;

A bill (S. 5169) for the relief of the estate of William Fletcher, deceased;

A bill (S. 5170) for the relief of the estate of William A. Bowen, deceased;

A bill (S. 5171) for the relief of Benjamin M. Yancey;

A bill (S. 5172) for the relief of the estate of Henry S. Williams, deceased;

A bill (S. 5173) for the relief of the estate of Robert Barr, deceased;

A bill (S. 5174) for the relief of the estate of William Shreve, deceased;

A bill (S. 5175) for the relief of the estate of W. A. Stringfellow, deceased;

A bill (S. 5176) for the relief of Charles A. Newlon;

A bill (S. 5177) for the relief of the heirs of Henry Simon, deceased;

A bill (S. 5178) for the relief of the estate of Peter Sheets, deceased;

A bill (S. 5179) for the relief of R. A. Young;

A bill (S. 5180) for the relief of Luther and Priscilla Walton;

A bill (S. 5181) for the relief of the estate of David B. Tennant, deceased;

A bill (S. 5182) for the relief of J. A. Shackleton;

A bill (S. 5183) for the relief of the heirs of John Poland, deceased;

A bill (S. 5184) for the relief of Napoleon B. Watkins;

A bill (S. 5185) for the relief of the estate of Robert Brockett, deceased;

A bill (S. 5186) for the relief of Emma C. Franner, George W. Seaton, Hiram K. Seaton, Howard Seaton, Mary Seaton, Blanche Seaton, George W. Taylor, Edward Taylor, and Catharine Pomeroy;

A bill (S. 5187) for the relief of Richard K. Hughlett; and

A bill (S. 5188) for the relief of James W. Nickens.

#### ELECTION OF UNITED STATES SENATORS.

Mr. DEPEW. I submit an amendment to the joint resolution proposing an amendment to the Constitution providing for the election of Senators of the United States by popular vote instead of by the legislatures, and I ask that the amendment be read.

The PRESIDENT pro tempore. The proposed amendment will be read.

The Secretary read as follows:

Amendment intended to be proposed by Mr. DEPEW to the joint resolution (H. J. Res. 41) proposing an amendment to the Constitution providing for the election of Senators of the United States, namely:

The qualifications of citizens entitled to vote for United States Senators and Representatives in Congress shall be uniform in all the States, and Congress shall have power to enforce this article by appropriate legislation and to provide for the registration of citizens entitled to vote, the conduct of such elections, and the certification of the result.

Mr. DEPEW. Mr. President, I will briefly state my reasons for proposing this amendment to the pending resolution amending the Constitution of the United States by providing for the election of United States Senators by popular vote instead of by the legislatures of the several States. The adoption of this amendment to the Constitution revolutionizes our scheme of government as it was devised by the framers of the Constitution and as it has existed and worked admirably for one hundred and fifteen years. The idea of the founders of the Republic was a popular assemblage elected by the people and then a Senate in which all the States, large and small, should have equal representation. The Senate was to be a body in which the sovereignty of each State had its representation in the nature of an independent republic, and the sovereignty of the State necessarily must be represented in its corporate capacity. It was not because of distrust of the people that this provision was adopted, but to create a chamber of independence and dignity in which the States, without consideration of size or population, should have an equal voice in their sovereign character.

The amendment under consideration, to which I offer an addition, proposes to make the Senate a popular body and reverse the principle upon which the Government has existed down to the present time. With the adoption of such an amendment to the Constitution, if it is adopted, this addition which I offer to it is the clear and logical sequence.

A number of States have by various devices prevented a third, or a half, or more, of citizens, recognized as such by the Constitution of the United States, from exercising the right of suffrage. The local reasons which have led to the adoption of these measures are not pertinent to this discussion. The adoption of these new constitutions in several States, however, containing "grandfather" and other clauses and devices to take away the privilege of voting from those who are made citizens by the Constitution of the United States, has led to a movement in the House of Representatives and in the legislatures of some of the States to change the representation in the House of Representatives from population to votes. That will reduce very largely the number of Congressmen which those States are entitled to. That measure does not receive the attention it would because, the House of Representatives being elected by the people, the vast majority of populations vote by manhood suffrage, and, therefore, the States in which they so vote have such a large majority in the House over States which restrict the suffrage that they do not feel acutely the discrimination which these measures bring about.

But if in the election of United States Senators a small oligarchy in any State can send here a representation equal to that of great States like New York which have manhood suffrage; if States in which half of the votes are disfranchised are to have an equal voice in this body with States like Pennsylvania, of five or ten times their population and with manhood suffrage; if New York, which casts, because of its manhood suffrage, 1,547,912 votes, is to be neutralized in legislation affecting her vast interests by Mississippi, casting 55,000 votes, because the majority of her citizens are disfranchised—then the situation becomes intolerable.

I am not, under ordinary circumstances and normal conditions, in favor of the proposed reduction of Representatives in the Southern States; I am not in favor of any legislation by the General Government which interferes with the local affairs of those Commonwealths; but if the door is opened by the adoption of this

amendment to the Constitution for the changing of the character and constitution of the Senate of the United States, then that measure must necessarily be accompanied by power to insure a full and honest vote of the citizens of the Republic, and protect this body in the election of those who may be designated here as Senators.

There are nineteen States which have in the aggregate less population and smaller industrial, commercial and financial interests than the State of New York, which are represented here by 38 votes, while New York has only two. Twenty-three States, with a population of thirteen million seven hundred and fifty-five thousand three hundred and sixty-four (13,755,364) and casting two million three hundred and sixty-three thousand two hundred and eighty-five (2,363,285) votes, have a majority in the Senate, while 22 States, with a population of sixty million eight hundred and fifty-one thousand eight hundred and fifty-seven (60,851,857) and casting eleven million six hundred and nine thousand one hundred and seventy (11,609,170) votes, are in the minority.

I have the profoundest reverence for the Constitution. Every scheme of government in every other nation of the world has failed and been changed during the last century. Our Constitution alone has stood the test of time, experiment and expansion, and has proved the most perfect system of government ever devised for a self-governing people. Revolutions never go backward. With the proposed change in the constitution of the Senate the people will and ought to be fairly and equitably represented here. The next and inevitable step will be to have the people and not the States control this body. Now the Senate can not go behind the legislatures of the States and investigate the election of their members, but with election by the people it can go into the regularity and returns of every election precinct and contests of Senatorial seats will be the leading work of every session.

It is a serious question if Congress submitted an amendment like that offered by the Senator from Pennsylvania [Mr. PENROSE] and three-fourths of the larger States should decide to have a representation in the Senate based upon population, the same as in the House of Representatives, whether the Senate, being the sole judge of the qualification of its members, could not admit this enlarged membership and thus end the power of the smaller States. If that did happen, the equality of the States would be destroyed and the revolution which changes the character of our Government would be complete.

The PRESIDENT pro tempore. The amendment will be referred to the Committee on Privileges and Elections, and printed.

Mr. BERRY. Mr. President, what is pending before the Senate?

The PRESIDENT pro tempore. The introduction of bills and joint resolutions is still in order.

#### CHINESE EXCLUSION.

Mr. ELKINS submitted two amendments intended to be proposed by him to the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent; which were ordered to lie on the table, and be printed.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. McCOMAS submitted an amendment proposing to increase the salary of the chief clerk of the United States Geological Survey from \$2,250 to \$2,500 and the salary of the chief disbursing clerk in the same office from \$2,400 to \$2,500, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TURNER submitted the following amendments, intended to be proposed by him to the sundry civil appropriation bill; which were ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations:

An amendment proposing to appropriate \$3,200 for completing light-house and fog signal at Browns Point, State of Washington;

An amendment proposing to appropriate \$6,000 for the construction of a fog signal at Battery Point, Puget Sound, opposite the city of Seattle, State of Washington;

An amendment proposing to appropriate \$22,000 for the constructing of light-house and fog signal at Mukilteo Point, near Everett Harbor, State of Washington; and

An amendment proposing to appropriate \$15,000 for constructing a light-house and fog signal on Burrows Island, Rosario Strait, State of Washington.

Mr. TURNER submitted an amendment proposing to appropriate \$840 to pay the heirs or legal representatives of Charles P. Culver, husband of the late Mrs. Catherine P. Culver, for the translation from German of House Miscellaneous Document No. 8, Forty-fifth Congress, third session, intended to be proposed by

him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MITCHELL submitted an amendment to ratify and confirm an agreement made and entered into on the 17th of June, 1901, by and between James McLaughlin, United States Indian inspector, on the part of the United States, and the Klamath and Modoc tribes and Yahooskin band of Snake Indians, belonging to the Klamath Agency, in the State of Oregon, and proposing an appropriation of \$537,007.20 to carry the same into effect, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate \$50,000 for improving the Allegheny River near Natrona, Pa., and also proposing to appropriate \$268,584 to enable the Secretary of War to enter into contracts for such material and work as may be necessary for the completion of said project, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

#### TESTIMONY BEFORE COMMITTEE ON THE PHILIPPINES.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That in addition to the copies of the testimony taken before the Committee on the Philippine Islands, printed for the use of the committee from day to day, 1,682 copies be printed for the use of the Senate.

Mr. LODGE subsequently said: At the instance of my colleague this morning a resolution was passed authorizing the printing of 1,682 copies of the hearings before the Committee on the Philippines for the use of the document room in addition to those which the committee has had printed for itself. The resolution was passed, but it was so worded that the Printing Office construe it as covering only the hearings from the time of its passage. I understand what my colleague desired was that all the hearings from the beginning should be printed, and I therefore send to the desk the hearings from the beginning and ask that a similar number of copies of those may be printed for the use of the document room so as to make a complete file in the document room.

There being no objection, the order was reduced to writing and agreed to, as follows:

*Ordered*, That 1,682 additional copies of the testimony already taken before the Committee on the Philippine Islands, and also the testimony taken from day to day, be printed for the use of the Senate.

#### INTERSTATE COMMERCE COMMITTEE.

Mr. ELKINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Interstate Commerce Committee be authorized to print such hearings upon bills and resolutions referred to it as may be necessary.

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 176) to provide for the extension of the charters of national banks; and

A bill (H. R. 184) to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C.

#### PUBLIC BUILDING AT FLINT, MICH.

Mr. McMILLAN. I ask unanimous consent to call up the bill (S. 3898) providing for the erection of a public building at Flint, Mich. It is a local matter and will take but a moment.

Mr. HALE. Unless the Senator from Illinois, in charge of the Post-Office appropriation bill, is ready to go on—

Mr. MASON. I am ready, I will state to the Senator from Maine, as soon as I can obtain the floor. If the Senator from Michigan will yield to me I will be very much obliged to him, as I should like to go on with the Post-Office appropriation bill.

Mr. HALE. I was going to give notice that after this bill is disposed of I would insist either upon the Calendar in order or the appropriation bill.

Mr. McMILLAN. It will take but a moment to dispose of this bill.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other governmental offices in the city of Flint and State of Michigan, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, not to exceed the sum of \$50,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall within thirty days after such examination make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$5 per day and actual traveling expenses: *Provided, however,* That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the purchase of a site and the erection of a public building thereon at Flint, in the State of Michigan."

#### CHINESE EXCLUSION.

Mr. LODGE. Mr. President, I should like to give notice that on Saturday, immediately after the routine morning business, I shall ask the indulgence of the Senate to speak briefly upon the pending Chinese-exclusion bill.

#### POST-OFFICE APPROPRIATION BILL.

Mr. MASON. I move that the Senate proceed to the consideration of the bill (H. R. 11354) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1903.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Post-Offices and Post-Roads with amendments.

Mr. MASON. I ask unanimous consent that the formal reading of the bill be dispensed with and that the amendments of the committee be acted upon as they are reached in the reading of the bill.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none, and it is so ordered. The bill will be read.

The Secretary proceeded to read the bill. The first amendment of the Committee on Post-Offices and Post-Roads was, under the subhead "Office of the Postmaster-General," on page 1, after line 10, to insert:

For printing, binding, and wrapping 10,000 copies of the revised edition of the Postal Laws and Regulations, in addition to the 100,000 copies provided for by the act of June 13, 1898, 5,000 of which shall be retained by the Public Printer for sale to individuals at the cost thereof and 10 per cent added, the proceeds of such sales to be deposited in the Treasury, as provided for by law; and for printing, binding, and wrapping 1,000 copies of the digest of decisions prepared in connection therewith; for which entire edition so much of the amounts appropriated therefor by the acts of June 13, 1898, June 2, 1900, and March 3, 1901, as shall be necessary is hereby made available: *Provided,* That the aggregate expenditure for said publications shall not exceed \$55,000.

The amendment was agreed to.

The next amendment was, on page 15, line 4, to increase the number of special agents in charge of divisions of the rural free-delivery service from seven to ten; in line 5, to increase the appropriation for the salary of the agents from \$2,400 to \$2,500 each; and in the same line, to increase the appropriation for compensation of special agents in charge of the divisions of the rural free-delivery service from \$16,800 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 15, line 7, after the word "headquarters," to strike out "Six" and insert "Three clerks, at \$1,400 each; 10;" in line 9, after the word "each," to strike out "6 clerks, at \$1,100 each; 6," and insert "10;" and in line 11, before the word "clerks," to strike "6" and insert "13;" so as to make the clause read:

For compensation to clerks at division headquarters: Three clerks, at \$1,400 each; 10 clerks, at \$1,200 each; 10 clerks, at \$1,000 each; 13 clerks, at \$900; and 3 laborers, at \$700 each, \$27,900.

Mr. MASON. In order to have the total amount of the appropriation in that paragraph correspond with the amendment just adopted, on page 15, in line 12, I move to strike out "\$27,300" and insert "\$40,000."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, on page 15, line 14, before the word "special," to strike out "fifteen" and insert "thirty;" in line 16, before the word "special," to strike out "15 special agents, at \$1,500 each; 15" and insert "thirty," and in line 19, before the word "thousand," to strike out "and 15 special agents, at \$1,300 each, 87," and insert "ninety;" so as to make the clause read:

For compensation to 30 special agents, at \$1,600 each; 30 special agents, at \$1,400 each, \$90,000.

The amendment was agreed to.

The next amendment was, on page 16, line 1, before the word "route," to strike out "seventy-one" and insert "seventy-five;" in line 3, before the word "route," to strike out "four" and insert "ten;" in line 4, before the word "thousand," to strike out "eighty-eight" and insert "ninety-nine," and in the same line, before the word "dollars," to strike out "eight hundred;" so as to make the clause read:

For compensation to 75 route inspectors, at \$1,200 each, and ten route inspectors, at \$900 each, \$99,000.

The amendment was agreed to.

The next amendment was, on page 16, line 5, before the word "route," to strike out "seventy-five" and insert "eighty-five;" and in line 10, before the word "thousand," to strike out "sixty-seven" and insert "seventy-six;" so as to make the clause read:

For per diem allowance for 85 route inspectors of the rural free-delivery service, when actually traveling on business of the Post-Office Department, at a rate to be fixed by the Postmaster-General, not to exceed \$3 per day, and for other necessary official expenses, \$76,500.

The amendment was agreed to.

The next amendment was, on page 16, line 19, to increase the total appropriation for rural free-delivery service from \$7,529,400 to \$7,572,500.

The amendment was agreed to.

The next amendment was, on page 17, line 2, before the word "hundred," to strike out "four" and insert "five;" so as to make the clause read:

Special agents in charge of divisions at not exceeding \$2,500 per annum.

The amendment was agreed to.

The next amendment was, on page 17, line 3, before the word "classes," to strike out "four" and insert "two;" in the same line, after the word "graded," to strike out "in even hundreds of dollars" and insert "as follows;" in line 4, after the word "at," to strike out "one thousand three hundred," and in line 5, after the word "hundred," to strike out "one thousand five hundred;" so as to make the clause read:

Special agents, two classes, graded as follows, at \$1,400 and not exceeding \$1,600 per annum.

The amendment was agreed to.

The next amendment was, on page 17, line 11, after the word "graded," to strike out "in even hundreds of dollars," and insert "as follows;" in line 13, before the word "hundred," to strike out "one" and insert "two;" and in the same line, before the word "hundred," to strike out "two" and insert "four;" so as to make the clause read:

Clerks, four classes, graded as follows, at \$900, \$1,000, \$1,200, and not exceeding \$1,400 per annum.

The amendment was agreed to.

The next amendment was, on page 18, after line 2, to insert:

Whoever shall hereafter willfully or maliciously injure, tear down, or destroy any letter box or other receptacle established by order of the Postmaster-General or approved or designated by him for the receipt or delivery of mail matter on any rural free-delivery route, or shall break open the same, or willfully or maliciously injure, deface, or destroy any mail matter deposited therein, or shall willfully take or steal such matter from or out of such letter box or other receptacle, or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment for not more than three years.

The amendment was agreed to.

The next amendment was, on page 18, after line 15, to insert:

That hereafter special agents, route inspectors, and examining inspectors in the rural free-delivery service shall be authorized and empowered to administer oaths to carriers and other persons employed in said service or in connection with any business relating to the same.

The amendment was agreed to.

The next amendment was, on page 18, after line 20, to insert:

That hereafter, in addition to the officers now authorized to administer oaths in such cases, rural letter carriers of the United States are hereby required, empowered, and authorized to administer any and all oaths required to be made by pensioners and their witnesses in the execution of pension vouchers with like effect and force as officers having a seal; and such carriers shall affix their respective post or cancellation stamps to their signatures to such vouchers in authentication thereof; and are authorized to charge and receive in compensation for administering such oaths not exceeding 25 cents for each voucher, to be paid by the pensioner.

Mr. PROCTOR. I inquire of the Chair if we are acting on the committee amendments as they are read?

The PRESIDENT pro tempore. Yes, sir.

Mr. PROCTOR. I am a member of the committee, but, unfortunately, was not present when the amendment which has just been stated was considered by the committee, and I should like to hear from the chairman some explanation as to the necessity of authorizing letter carriers to administer oaths in pension cases. Are not the present facilities for that purpose sufficient?

Mr. MASON. The amendment was suggested by the Post-Office Department, as was the amendment to protect the rural free-delivery letter boxes, so as to surround them with the same protection of law that now surrounds other letter boxes. So also the amendment to permit rural free-delivery carriers to administer oaths in pension cases has been recommended by the Department.

The fourth-class postmasters have heretofore taken affidavits and certified to the application papers of soldiers seeking pensions. There has been complaint to the Department that the abolishment of the fourth-class offices destroys the right of the postmaster to take acknowledgments of affidavits, and therefore the Department recommends the adoption of this amendment, which will allow rural free-delivery carriers to have the same powers of administering oaths in pension cases as the fourth-class postmasters formerly had.

We have deprived the rural neighborhoods of fourth-class postmasters, and the pensioner will be obliged, therefore, in many cases to go to the county seat and travel some distance, when heretofore he took his affidavit before the postmaster. The proposition now is to simply allow the carrier to take the place of the postmaster. There can be no objection to the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, on page 19, line 25, before the word "service" to insert "and registry;" so as to make the clause read:

For printing facing slips and cutting same, card slide labels, blanks and books of an urgent nature, and manifold books for the postal and registry service, \$50,000.

The amendment was agreed to.

The next amendment was, at the top of page 21, to insert:

For the payment to James Graham, for carrying daily mail from Altamont to Aspen, on the old line of the Union Pacific Railroad, \$49.60.

The amendment was agreed to.

The next amendment was, on page 21, after line 3, to insert:

For the payment of post-office order No. 11106, issued at Lander, Wyo., drawn upon the post-office at Evanston, Wyo., August 13, 1889, and which has never been paid, and which under ruling of the Auditor, can not be paid through the Post-Office Department, \$9.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster-General," on page 21, after line 24, to insert:

For the transmission of mail by pneumatic tubes or other similar devices, \$500,000, or so much thereof as may be necessary; and the Postmaster-General is hereby authorized to enter into contracts for a period not exceeding four years, after public advertisement once a week for a period of six consecutive weeks in not less than five newspapers, one of which shall be published in each city where the service is to be performed. That the contracts for this service shall be subject to the provisions of the postal laws and regulations relating to the letting of mail contracts, except as herein otherwise provided, and that no advertisement shall issue until after a careful investigation shall have been made as to the needs and practicability of such service and until a favorable report, in writing, shall have been submitted to the Postmaster-General by a commission of not less than three expert postal officials, to be named by him; nor shall such advertisement issue until in the judgment of the Postmaster-General the needs of the postal service are such as to justify the expenditure involved. Advertisements shall state in general terms only the requirements of the service and in form best calculated to invite competitive bidding.

That the Postmaster-General shall have the right to reject any and all bids; that no contract shall be awarded except to the lowest responsible bidder, tendering full and sufficient guaranties, to the satisfaction of the Postmaster-General, of his ability to perform satisfactory service, and such guaranties shall include an approval bond in double the amount of the bid.

That no contract shall be entered into in any city for the character of mail service herein provided which will create an aggregate annual rate of expenditure, including necessary power and labor to operate the tubes, and all other expenses of such service in excess of 4 per cent of the gross postal revenue of said city for the last preceding fiscal year.

That no contract shall be made in any city providing for 3 miles or more of double lines of tube which shall involve an expenditure in excess of \$17,000 per mile per annum, and said compensation shall cover power, labor, and all operating expenses.

That the Postmaster-General shall not, prior to June 30, 1904, enter into contracts under the provisions of this act involving an annual expenditure in the aggregate in excess of \$800,000; and thereafter only such contracts shall be made as may from time to time be provided for in the annual appropriation act for the postal service; and all provisions of law contrary to those herein contained are repealed.

The amendment was agreed to.

The next amendment was, on page 25, line 23, after the word "duty," to insert:

And to enable the Postmaster-General to pay the sum of \$1,000 to the legal representatives of any railway postal clerk who shall be killed while on duty

or who, being injured while on duty, shall die within thirty days thereafter as the result of such injury.

So as to make the clause read:

For acting clerks, in place of clerks injured while on duty, and to enable the Postmaster-General to pay the sum of \$1,000 to the legal representatives of any railway postal clerk who shall be killed while on duty or who, being injured while on duty, shall die within thirty days thereafter as the result of such injury, \$45,000.

The amendment was agreed to.

The next amendment was, on page 27, line 8, before the word "New Orleans," to strike out "and;" and in the same line, after the word "New Orleans," to insert "and from Washington to Jacksonville, Fla.;" so as to make the clause read:

For necessary and special facilities on trunk lines from Washington to Atlanta, New Orleans, and from Washington to Jacksonville, Fla., \$142,728.75: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

Mr. MASON. On behalf of the committee, I move to amend the amendment which has just been stated, by restoring the word "and," in line 8, after the name "Atlanta;" so as to read:

For necessary and special facilities on trunk lines from Washington to Atlanta and New Orleans, and from Washington to Jacksonville, Fla.

Mr. CLAY. I ask that the amendment may be read from the desk as it will stand if amended.

The SECRETARY. As proposed to be amended the clause will read:

For necessary and special facilities on trunk lines from Washington to Atlanta and New Orleans, and from Washington to Jacksonville, Fla., \$142,728.75.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, under the subhead "Office of the Third Assistant Postmaster-General," on page 29, line 5, after the word "dollars," to insert the following proviso:

*Provided*, That hereafter, when in the opinion of the Postmaster-General the interests of the Post-Office Department require it, the manufacturing of special-delivery and adhesive postage stamps may be done by the Treasury Department (Bureau of Engraving and Printing), in conformity with an agreement satisfactory to both the Postmaster-General and the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Fourth Assistant Postmaster-General," on page 31, line 4, before the word "thousand," to insert "and seven;" and in line 15, after the word "criminals," to insert:

And the further sum of \$7,000, or so much thereof as may be necessary, to enable the Postmaster-General to employ two inspectors, to be selected and appointed by himself, for service as expert accountants and actuaries in the office of the Assistant Attorney-General in the investigation and examination of bond-investment, tontine, and other companies of a similar character offering for sale bonds, certificates, or other securities on installment payments, and for the performance of such other duties pertaining to that office as may be assigned them.

So as to make the clause read:

For mail deprecations and post-office inspectors, including salaries of 15 inspectors in charge of divisions at \$2,500 per annum without per diem, and 6 inspectors at \$2,400 without per diem, and 15 inspectors at \$2,250 per annum without per diem, and 15 inspectors at \$2,000 per annum without per diem, and for salaries of post-office inspectors and clerks; and for per diem allowance of inspectors in the field while actually traveling on business for the Department, \$907,000: *Provided*, That the Postmaster-General may, in his discretion, allow post-office inspectors per diem while temporarily located at any place on duty away from home, or their designated domicile, for a period not exceeding twenty consecutive days at any one place, and may make rules and regulations governing the foregoing provisions relating to per diem: *And provided further*, That of the amount herein appropriated not to exceed \$2,000 may be expended, in the discretion of the Postmaster-General, for the purpose of securing information concerning violations of the postal laws, and for services and information looking toward the apprehension of criminals; and the further sum of \$7,000, or so much thereof as may be necessary, to enable the Postmaster-General to employ two inspectors, to be selected and appointed by himself, for service as expert accountants and actuaries in the office of the Assistant Attorney-General in the investigation and examination of bond-investment, tontine, and other companies of a similar character offering for sale bonds, certificates, or other securities on installment payments, and for the performance of such other duties pertaining to that office as may be assigned them.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. MASON. I desire, on page 26, line 2, to strike out the words "thirty days" and insert the words "one year." This is an amendment which we have put into the bill allowing the payment of \$1,000 in case a mail messenger is killed, and it provides that it shall be paid if he die within thirty days. I desire to amend it so as to make it read if he die within one year as the result of the injury.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 26, line 2, it is proposed to strike out the words "thirty days" and insert "one year;" so as to read:

For acting clerks, in place of clerks injured while on duty, and to enable the Postmaster-General to pay the sum of \$1,000 to the legal representatives of any railway postal clerk who shall be killed while on duty or who, being injured while on duty, shall die within one year thereafter as the result of such injury, \$45,000.

The amendment was agreed to.

Mr. STEWART. I ask leave to offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Nevada offers an amendment which will be stated.

The SECRETARY. On page 21, after line 10, it is proposed to insert:

That the Secretary of the Treasury is hereby authorized and directed to state an account with Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mails over postal routes Nos. 30003 and 149003 during the period between July 1, 1878, and February 21, 1892, both inclusive, in which he shall credit said company with nonland-grant rates over that portion of its route between New Orleans and Morgan City, La., in accordance with the decision of the Court of Claims in case No. 15877, and shall pay to said company, out of any money in the Treasury not otherwise appropriated, such sum as shall remain due upon such adjustment.

Mr. STEWART. Mr. President, let me explain the amendment in a word.

The facts are that by the act of June 3, 1856 (11 Stat., 18), certain lands were proposed to be granted to the State for the purpose of aiding in the construction of such a road, provided that the road was built within ten years. The road was not built within the time, and Congress, by the act of July 14, 1870 (16 Stat., 277), forfeited the grant, and no lands were ever received by the company.

The company brought suit in the Court of Claims for the difference, and upon a full hearing the court held that the company was not a land-grant road and was entitled to the statutory rates for transportation of the mail, and rendered judgment in favor of the company for the period within six years prior to bringing the suit, but was without jurisdiction to render judgment for any period prior thereto.

The amendment authorizes the Secretary of the Treasury to audit the account for the period of time that the company was paid land-grant rates that the court decided it was entitled to the full statutory rates, and which was barred from its jurisdiction.

The amendment is in the form recommended by the Second Assistant Postmaster-General under date of February 2, 1899.

Mr. LODGE. I think very probably this is a meritorious claim, but it is an amendment obnoxious to the point of order, and I make the point of order that it is a private claim.

Mr. STEWART. Is there no way to get a claim of this kind paid?

Mr. LODGE. The regular way, I should think, would be through a claim bill. It is certainly not in order on an appropriation bill if the point of order is made against it.

The PRESIDENT pro tempore. Does the Senator from Massachusetts make the point of order?

Mr. LODGE. I make the point of order.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. TILLMAN. I send to the desk an amendment which I wish to have inserted on page 18, between lines 2 and 3, as a separate paragraph.

The PRESIDENT pro tempore. The amendment proposed by the Senator from South Carolina will be stated.

The SECRETARY. After line 2, on page 18, it is proposed to insert: That the Postmaster-General be, and he is hereby, directed to buy, after due advertisement, metal lock boxes of uniform size for the use of the patrons of the rural free-delivery service, at a cost not exceeding 50 cents for each box, and to furnish said boxes to the patrons of the service at cost.

Mr. LODGE. My attention was withdrawn for a moment while the amendment was being read. I would be obliged if it could be read again.

The Secretary again read the amendment.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. TILLMAN. I should like to explain it a little in order to get something in the RECORD that will assist the conferees on the part of the Senate in convincing the House conferees that this matter ought to be left in the bill, because a similar amendment was offered in the other House and voted down, and there certainly will be a fight on it. But if the chairman of the committee, with the material which I have here, will agree to make the best fight he knows how—and he, I know, can put up a good one—and will let the matter come to the Senate for final adjudication before a conference report is rushed in here and pushed through, I will not obtrude myself on the Senate. I have a very strong statement to make; but I do not wish to obtrude myself on the Senate if the Senate is willing to let the amendment go in and the conferees will do the best they can to retain it.

Mr. MASON. Mr. President, the amendment meets my most hearty approval. There is no doubt that under the present plan there is very great complaint among the farmers that they are limited to the purchase of certain boxes. I think the Department has limited the farmers to 14 different boxes. I think there ought to be uniformity, and I think there ought to be a metal box, and I believe the amendment is in the interest of the service, and I make no objection to it.

Mr. TILLMAN. In addition to that, if the Senator will pardon me, I wish to call attention to the fact that in the cities and in every town where rural free delivery obtains, or even where it does not, metal boxes are furnished for the convenience of the patrons of the post-office where the mail is deposited, collected, and carried to certain distributing points, whereas the farmers out in the country under the present regulations are debarred.

Mr. MASON. No; the Senator is wrong about that.

Mr. TILLMAN. I mean the Government pays for the boxes in the cities, whereas this amendment simply asks that the Government shall furnish the boxes to the farmers at cost.

Mr. MASON. The Senator is about 50 per cent right, as usual.

Mr. TILLMAN. I am very glad the Senator from Illinois agrees to that much. I appear to have not been 99 per cent right lately, in the opinion of some Senators.

Mr. MASON. The Senator means to be right always. In the cities the Department does not furnish boxes for the recipients of the mail in which to receive their mail.

Mr. TILLMAN. I am not speaking about the individual. I am speaking about the boxes all over the city, on every lamp-post, so that you can step out and mail a letter anywhere, and the Post-Office Department buys them and furnishes them for the convenience of the patrons.

Mr. MASON. They do not put boxes in front of every man's door.

Mr. TILLMAN. I am not speaking of that. The carrier carries the mail to the door and delivers it into the hand of the recipient.

Mr. MASON. There really is no objection to this amendment.

The PRESIDENT pro tempore. It has been agreed to.

Mr. MASON. I want to say that I do not, however, undertake to guarantee what the conferees will do.

Mr. TILLMAN. I do not ask the Senator to guarantee that he will bulldoze the House. I know he can not do that—

Mr. BACON. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator from Georgia will state his point of order.

Mr. BACON. I think the Senators are each violating the rule of the Senate which requires that the Chair shall be addressed and that the permission of the Chair shall be had before proceeding.

The PRESIDENT pro tempore. The Chair sometimes thinks he ought to call to the presiding officer's place the Senator from Alabama [Mr. PETTUS].

Mr. TILLMAN. If I may be permitted to put in a little observation on the rules of order, if the Chair or the Senator from Georgia or other Senators here will see that the rule is never broken I have no objection to its being applied to me, but I give him and you and every other man notice that I shall have no special Tillman rule here.

Mr. BACON. The Senator has no right to assume that there is any such purpose, but we have rules, and I think they ought to be observed. I would not have made the point of order, but at that particular time there was a very wide departure from the rule. I think we ought to proceed in order, and I do not think the Senator from South Carolina needs any assurance from me, so far as I personally am concerned, that there is no disposition on my part to apply any rule to him that is not applied to every other Senator. But I do think that every Senator will recognize the fact that at the time I made the point of order it was proper to call the attention of the Senate to the fact not simply that there was a slight departure from the rule, but that there was a very wide departure from it; and I think the Senator from South Carolina will recognize the fact.

Mr. TILLMAN. The Senator from South Carolina is ready to make all proper acknowledgment of his shortcoming, and if the Senator from Georgia will constitute himself a censor to call every Senator to order who breaks the rule which was just broken by the Senator from Illinois and myself I shall not object. I shall be glad to have the Senate screw up its rules a little tighter than they are. What I do object to is having the appearance of selecting me to bear the burden of this dereliction alone, and I will not do it.

Mr. BACON. Mr. President, I did not call anybody to order. I made the point of order to the Chair, and I included the Senator from South Carolina and the Senator from Illinois.

Mr. TILLMAN. Did the Senator from Georgia, if I may be permitted to say a word, include the Chair in his point of order, that the Chair himself was not carrying out the rules of the Senate?

Mr. BACON. I think the Senator is now violating the rule. I was addressing the Chair, and I was simply replying to the Senator. I did not call him to order, nor did I call the Senator from Illinois to order. I simply made the point that the Senators were not proceeding in order. I addressed myself to the Chair, as it was proper that I should do, and I did not call anybody to order.

Mr. MASON. I call for the regular order.  
The PRESIDENT pro tempore. Are there further amendments?

Mr. TILLMAN. In order that my friend the chairman of the Post-Office Committee may have the documents I have here, which may be of some assistance in convincing the members of the House of the necessity for this amendment as well as to let Senators see the foundation for this amendment, I ask to have printed in the RECORD certain correspondence which I have had with the Post-Office Department and certain private letters to me from a gentleman in New York, and an extract from a Lockport (N. Y.) paper calling attention to the burdens and wrongs of which a citizen of that State complains in regard to the rural free delivery and the regulations of the Post-Office Department in regard to the rural free-delivery service.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and the papers will be inserted in the RECORD.

Mr. TILLMAN. The first is a letter from Mr. James L. Barnes, making complaint against the present system. The second is a letter from the same gentleman, inclosing an official notice, which sets forth the practice of the Department and the cause of his grievance. Then there is a newspaper clipping from the Daily Review, of Lockport, N. Y., setting forth fully the case of Mr. Barnes, which is only one of a type. Then there are three letters to me from the Post-Office Department in regard to this matter in answer to letters I wrote, which are given for the purpose of making everything clearly understood.

The papers referred to are as follows:

RANSOMVILLE, N. Y., January 27, 1902.

Senator TILLMAN.

DEAR SIR: The inclosed card will inform you of my object in addressing you.

Our post-offices have been discontinued and mail is left at the post-office in Lockport, 10 miles distant, although the rural carrier goes by daily and convenient boxes for the reception of said mail have been provided, boxes which comply in every respect with the inclosed order except that they were not bought of the 14 manufacturers who seem to have been taken under the especial patronage of the Post-Office Department. Will you kindly give this matter your attention, and in the meantime please send to me the act of Congress and the so-called postal laws or rulings in relation to the same. My contention is that the Post-Office Department is exercising legislative powers which even the law-making power has no control over under the Constitution. You are at liberty to make this public, and sworn statements in substantiation can be furnished. Please act.

Yours, truly,

JAMES L. BARNES.

(Care of C. Sanger, Ransomville, Niagara County, N. Y.)

RANSOMVILLE, N. Y., January 27, 1902.

Senator TILLMAN:

I wrote you to-day and intended to inclose a copy of a card which has been served on people here by an inspector, so called, of the Post-Office Department. The card, which I omitted to inclose, will be found herewith. Men who had storm-proof boxes erected have been obliged, under threats of withdrawal of their mail service, to put up one of the boxes advertised on the reverse side of this card, which have been at times quite full of snow. You observe the weather-proof clause.

Yours, truly,

JAMES L. BARNES.

(Care of C. Sanger, Ransomville, Niagara County, N. Y.)

[Post-Office Department. Official card. Rural free-delivery service.]

Mr. \_\_\_\_\_  
Route No., \_\_\_\_\_  
\_\_\_\_\_ post-office, \_\_\_\_\_ State.

SIR: Patrons of rural free-delivery routes are required to provide letter boxes approved by the Post-Office Department, so located near the highway that the carrier can reach them to deposit and collect mail without dismounting from his conveyance.

Rural carriers are not required to deliver mail to houses not immediately on their routes, except in case of registered mail, pension letters, and special-delivery letters.

The mail box put up by you is not secure, not weatherproof.

Within thirty days from this date you must supply one of the approved boxes enumerated on the reverse side of this card or your service will be withdrawn.

By order of the First Assistant Postmaster-General:

Date, \_\_\_\_\_

Route Inspector.

Report delinquencies of carriers to General Superintendent Free-Delivery System, Post-Office Department, Washington, D. C.

The commission appointed by the Postmaster-General in February, 1901, for the purpose of examining rural free-delivery boxes, recommended 14, enumerated hereon:

(1) Postal Improvement Company box, of Norristown, Pa. (Enlarged size with side opening.) Delivered at post-offices in bulk, freight paid, \$1.80. Steel post additional, 60 cents.

(2) Bates Hawley postal signal mail box, of Joliet, Ill., and San Jose, Cal. Scale of prices graduated according to size and material, from \$2.25 up to \$3.50 retail; \$1.95 to \$3 wholesale. Posts, extra, 75 cents retail; 60 cents wholesale. (Size enlarged, and with side opening.)

(3) A. L. Henry, American Metal Company, Indianapolis, Ind. Double compartment box with receiving and delivery apparatus complete, \$3. Without receiving and delivery apparatus, \$2.35. Single compartment box with receiving apparatus, \$1.50. Without receiving apparatus, \$1.

(4) Century Post Company, Adrian, Mich. With brackets to fasten to post, \$1.75; with post complete, \$2.50.

(5) Bond Steel Post Company, Adrian, Mich. With lock and without post, \$2.50; with post, \$3.

(6) The Century Rural Mail-Box Company, Detroit, Mich. With quick-operating lock, \$1.75; galvanized-iron post and cap, additional, 25 cents.

(7) Corbin Cabinet Lock Company, New Britain, Conn. To patrons direct, \$2.

(8) C. G. Folsom box, South Bend, Ind. (New style, enlarged to regulation size and with side opening) about \$1; lock extra.

(9) P. B. Englar box, Taneytown, Md. Without lock, \$1; lock extra.

(10) The John H. Forney (Enterprise) box, Burlington, Iowa, \$1.25.

(11) Kelly Foundry Machine Company box, Goshen, Ind., \$1.25.

(12) W. W. Sweigart, Yorkroad, Md. Box without lock, \$1; lock to be added at cost.

(13) Beaver Manufacturing Company, Beaver, Pa. Box, \$2; posts and bolts, additional, 50 cents.

(14) George E. Wirt box, Greensburg, Ind., \$2.50.

#### THE HISTORY OF A CRIME.

Perhaps the writer may be accused of egotism for placing at the head of this article the title which Victor Hugo immortalized in his description of the events which took place during the overthrow of popular government in France, but a careful reading of what is taking place in so-called "Free America," as set forth below, will not only excuse the writer, but justify him, although this writing were entitled the "Crime of a Century."

On the 15th of November, 1901, the so-called "rural free delivery" was, by the aid of 14 inspectors, instituted throughout Niagara County, thereby doing away with three post-offices between Lockport and Ransomville. The North Ridge office, one of those discontinued, was situated nearly 10 miles from Lockport and about 4 miles from Ransomville. This was my office of address.

On the 14th of November, 1901, I erected a box for the reception of mail, and received mail in such box till January 24, 1902. Both carriers, regular and alternate, have stated that the box provided is convenient and satisfactory to them. In the meantime, to determine whether the box which satisfied the parties in interest would be acceptable to the postal authorities, the Department was appealed to, and a curt reply was received, saying that unless some other safe and weatherproof box was erected or contracted for prior to May 1, 1901—the patrons of the rural free delivery were required to erect a box from a list of 14 on an inclosed card—or after thirty days' notice, their mail service would be withdrawn.

Believing such action arbitrary, unlawful, and unjust, I sent an article to the Niagara Sun, of Lockport, asking that the law in relation to the matter be published. The reply to this request (see Niagara Sun of January 7, 1902) was in effect that it was "by direction of the Postmaster-General," and no law on which such "direction" was founded was quoted, although the power to prescribe regulations is distinctly limited by law. (See Postal Laws and Regulations, page 10.)

I received notice December 23, 1901, to purchase one of the 14 boxes, or my service would be withdrawn. Firmly believing that through some mistake the people's rights being invaded, I wrote to the Postmaster-General asking for the act of Congress and the departmental regulations in regard to the subject. The reply contained rules and regulations concerning the institution of rural free-delivery routes, and also a blank petition, to be signed by heads of families who desired the service, by which the signers agree "to erect for the reception of our mail boxes which have been approved by the Department." In the Ohio Farmer of January 13, 1902, may be found a statement of Mr. Machen, the superintendent of free delivery, which says, "Rural delivery is in every case established upon petition of the people." Please remember this point.

On the 24th of January, 1902, I received no mail; on the following day I served a notice on the carrier directing him to receive my mail from the postmaster and deposit it in the box erected by me, and releasing him from all further liability after such deposit, except in regard to registered matter. On the same day I caused a notice to be served on the postmaster in Lockport directing him to deliver mail addressed to me to the proper carrier, and exonerating him from all further liability after such action.

No attention was paid to my request for delivery, and I went to Lockport on February 11, 1902, and after presenting my information to the proper United States authority, was told that time would be required in such a serious case, for consultation with higher authority, but that the postmaster would be seen, and that I should receive a letter in regard to the matter on the following Tuesday. On Monday, February 10, 1902, a letter addressed to me was advertised (see Niagara County Journal of February 14), and on Saturday, February 15, I received a special delivery letter by the mail carrier.

On Tuesday, the day specified, I did not receive the promised letter, and on the following day, February 19, I went to Lockport, and was told that the authorities, on my sworn information, would grant me no redress.

Under the advice of the best legal talent in Lockport I consulted eminent authority in Buffalo, and was informed, practically, that "on the oppressor's side was power," although the ruling under which the Department is acting was made on August 1, 1901, to take effect May 1, 1901, and Congress, which has the lawmaking power, has no right to enact an ex post facto law. The term "anarchist," it would seem from this, does not invariably attach to an ignorant, misguided individual of low foreign birth.

Let me recapitulate and refer the reader to the Postal Laws and Regulations, which before have been considered authority, but which have, alas, no bearing at present, when a new ruling, under no law, is put forth, which holds the people while monopoly plunders them.

First, in regard to discontinued offices, page 223, "Matter addressed to a discontinued office may be delivered from the nearest office thereto."

There are three offices nearer to me than the Lockport office, where my mail is detained, the Ransomville office being nearest.

Directions for delivering, page 233, "The delivery in each case should be to the person addressed, or according to his order." The order for the delivery of my mail was in the postmaster's hands.

What to be advertised, page 232, "All unclaimed matter of the first class." Was my mail matter unclaimed?

Dead matter, page 235, "Unclaimed; that which is not called for and can not be delivered." The carrier is supposed to pass my house every day.

What rights have special-delivery letters over ordinary prepaid letters except that effort must be made to deliver them speedily? In other words, if a letter is nondeliverable, will a special stamp cause its delivery?

If a postmaster sends mail by an unauthorized individual, he may be punished. Should he not be held to a stricter account for refusing mail to a person armed with the proper authority to receive such mail?

The Department, in forcing people to deal with certain manufacturers, is exercising a power never delegated to the General Government by the State of New York or the people.

Diligent inquiry establishes the fact that no petition was ever signed or circulated to establish rural free delivery on route No. 1 in the county of Niagara, and there seems to be an utter lack of system and judgment in the matter. For instance, mail is delivered to one person who has no box and withheld from another in like case. One homemade box erected last fall is "all right," while another equally good is rejected.

The mail of a minister of the gospel, who has a perfectly weather-proof

box, is withheld, and yet mail is delivered at the country hotel, where there is no box, and an interesting question presents itself, if a person who had been forced to buy one of the regulation boxes should have mail destroyed in said box because of the lack of the qualities supposed to be guaranteed, who would be responsible?

The vital principle at stake is this: Had the Department engaged in the manufacture of boxes and sold them at a certain fixed price, the same as postage stamps are sold, the Government receiving the increment, no particular objection could have been made; but when the Department enters into active partnership with private concerns the people can hardly fail to believe that they are being exploited for private benefit. The appearance of evil should be avoided, and a semblance of equal rights be made to appear by compelling the people of the different cities to purchase and erect boxes manufactured by the beloved 14 firms.

There is no doubt that after the peasants have been subdued the conquest of the burghers will be attempted; but perhaps the Department is wise not to create too much discontent even in this monopoly-ridden but long-suffering land. To those who believe in the ultimate triumph of truth and justice, there is hope even in defeat, and there are sometimes victories which end in shame and humiliation. Let us remember that—

"'Tis better to have fought and lost  
Than never to have fought at all."

And also—

"For freedom's battle, once begun,  
Though baffled off, is ever won."

JAMES L. BARNES, *North Ridge.*

UNITED STATES SENATE,  
Washington, D. C., January 29, 1902.

SIR: Complaint has come to me in regard to the action of the postal authorities in requiring farmers and others along rural free-delivery routes to buy a certain type or style of box in which mail will be deposited. This is a very heavy expense, involving millions of dollars, and if the Post-Office Department has authority to make the requirement, I would be glad for you to point me to the section in the law which authorizes it. Also inform me whether there is any such regulation in force, because those who have boxes to sell may be acting of their own volition.

A prompt reply with full information will very much oblige me, as I do not care to do the Department an injustice or to agitate the matter in the Senate without full information.

Please return the card I sent you.

Yours, truly,

B. R. TILLMAN.

Hon. WM. M. JOHNSON,  
First Assistant Postmaster-General, Washington, D. C.

POST-OFFICE DEPARTMENT,  
FIRST ASSISTANT POSTMASTER-GENERAL,  
Washington, February 5, 1902.

MY DEAR SIR: Owing to absence from the city for a few days I have not had an earlier opportunity of answering your letter of January 29 relative to rural free-delivery boxes.

In reply thereto I beg leave to say that the regulation requiring persons who desire to have their mail delivered to use one of the boxes specified by the Department was found to be necessary in order to secure the most efficient service. One of the questions which received serious consideration in the preliminary stages of rural free delivery was the character of the boxes which should be required to be put up by the patrons of the service. Previous to any requirement, all kinds of boxes, some of them of the crudest and most flimsy character, were used for the purpose, in which the mail deposited was utterly insecure and which were subject to wanton or malicious molestation. In order to throw some kind of protection over these boxes, the Department held that rural boxes could be included under the provisions of section 5483, United States Revised Statutes, which provides penalties for "any person who shall willfully or maliciously injure, deface, or destroy any mail matter deposited in any letter box, pillar box, or other receptacle established by authority of the Postmaster-General."

In order to insure this protection the Postmaster-General authorized the use of certain boxes which it was deemed would have the protection of the law. In making this selection notice was published inviting inventors and makers of boxes to submit the same for the consideration of the Department, and a special committee was organized for the purpose of passing on the qualities of the boxes submitted. Some 63 boxes in all were submitted. This committee rejected all such as did not seem to have the requisite qualities of security, stability, and simplicity, and selected 14 boxes, being all of those which had these qualities. These are the boxes specified on the list which you sent me (which is herewith returned), and were approved by order of the Postmaster-General something like a year ago. In order to have a certain degree of uniformity and to secure protection to the mail, it was ruled that those desiring to have the benefit of the rural delivery must secure one of those boxes, which must be placed along the road so that it can be reached by the carrier without dismounting. Of course any person who does not feel that he ought to procure a box may have his mail retained at the post-office and may call for it as heretofore, but to enjoy the benefits of the rural service he is compelled to comply with this requirement.

As to the authority of the Postmaster-General to make the order in question, in addition to the law quoted above, I think it may be fully sustained by the act of Congress appropriating money for the rural service by which the Postmaster-General was intrusted with all the details of building up and managing the system. Congress confided to the discretion of the Department the determination of the means by which this delivery should be inaugurated and carried on. The language in which the appropriation was made was construed to evince the wish of Congress that the Postmaster-General should use the widest discretion in the choice of agents and methods in testing the practicability of rural deliveries. As the conditions were entirely novel, the difficulties unknown, and the methods of administration without precedent, definite legislation was practically impossible. The renewal of the experimental appropriations for this service from year to year, without any limitation upon or direction to the Department, indicated that the Department had correctly interpreted the intent of Congress, which was to afford the widest scope for testing the feasibility and value of the service and develop the best methods for its initiation and management. The actual legislation on the subject is very meager, but through departmental rules and regulations we have built up an administrative system by which the rural-delivery service has been successfully established.

The Department has no wish to impose any undue burden upon the people and is of the opinion that nothing unreasonable has been asked in the way of requiring boxes.

Trusting that this explanation will be satisfactory, I remain, with very great respect,

Yours, sincerely,

W. M. JOHNSON,  
First Assistant Postmaster-General.

Hon. B. R. TILLMAN, *United States Senate.*

UNITED STATES SENATE,  
Washington, D. C., February 6, 1902.

DEAR SIR: I have your letter of February 5. There is one point I beg to suggest for your consideration and answer, to wit: You say in order to have a certain degree of uniformity and to secure protection to the mail it was ruled that those desiring to have the benefit of the rural delivery must secure one of these boxes which must be placed along the road so it can be reached by the carrier without dismounting. Of course any person who does not feel that he ought to procure a box may have his mail retained at the post-office, and may call for it as heretofore, but to enjoy the benefits of the rural service he is compelled to comply with this requirement.

Now, then, where post-offices have been discontinued, as they have in many instances, rural free delivery being considered a sufficient substitute, how can persons unable or unwilling to supply these boxes obtain their mail? Must they go to the office where the rural free-delivery route starts, possibly 10 miles away?

Your answer to this as promptly as you have the other will oblige.

Yours, respectfully,

B. R. TILLMAN.

Hon. WILLIAM M. JOHNSON,  
First Assistant Postmaster-General, Washington, D. C.

POST-OFFICE DEPARTMENT,  
FIRST ASSISTANT POSTMASTER-GENERAL,  
Washington, February 10, 1902.

MY DEAR SIR: I have your letter of February 6; also, in reference to the rural-delivery boxes.

It is true, as you say, that where a local post-office has been discontinued there may be instances where a person not availing himself of the rural free-delivery service would have to go to a more distant post-office than that to which he was accustomed to go before the rural service was established. This would seem to be one of the unavoidable incidents of the service and a case where the general welfare must be considered in preference to individual cases. If, however, you have in mind a specific instance of a person unable to procure one of the designated boxes and you think an exception should be made, I should be glad to consider it and would thank you to give me particulars with a view to having the requirement waived in his case.

Very respectfully,

W. M. JOHNSON,  
First Assistant Postmaster-General.

Hon. B. R. TILLMAN,  
United States Senate, Washington, D. C.

UNITED STATES SENATE,  
Washington, D. C., February 13, 1902.

MY DEAR SIR: Your letter of February 10 received. You seem to misconceive my purpose in beginning this correspondence. Familiar as I am with farm life and with rural conditions, even in the North, and the complaint having come to me from a New York farmer, I have written for the purpose of directing your attention to an abuse, and a very great abuse. That is, the requirement of the Post-Office Department that some one of a selected list of letter boxes must be bought in order for a man to get his mail along a rural free-delivery route.

If an individual sees fit to risk his letters and papers in an ordinary, secure box, whose business is it? Certainly not yours, and under the requirements which you have promulgated hundreds of thousands of poor men are forced to pay tribute to some of the companies who have secured the privilege of the Post-Office Department for their letter boxes. This is a much greater wrong than you at first might deem possible, and I would be glad that such regulation might be promulgated as would make it unnecessary for me to attack the system in the Senate, and secure legislation, if possible, to prevent it.

I am not interested in any individual, but I am opposed to the whole scheme or ruling in regard to the matter.

Yours, etc.,

B. R. TILLMAN.

Hon. WILLIAM M. JOHNSON,  
Washington, D. C.

POST-OFFICE DEPARTMENT,  
FIRST ASSISTANT POSTMASTER-GENERAL,  
Washington, February 21, 1902.

DEAR SIR: I regret that my letter of the 10th instant should not have made clear to you the position of the Department on the question of providing secure and appropriate roadside boxes for the collection and delivery of United States mails by the rural free-delivery system. I regret still more that you should think the Post-Office Department has permitted a great wrong to be inflicted upon the farmers of the country in connection with the rural free-delivery service.

This is not a new question. It has been carefully considered by the Department for several years with a desire to protect the interests of the rural free delivery. The primary question which the Department had to consider was the safe delivery and collection of the United States mails and their protection, while being handled on rural routes, from mischievous or malicious molestation. In the earlier days of the service it was frequently reported to the United States authorities that rural free-delivery boxes were shot into, torn down, and otherwise disturbed, and their contents destroyed, and though the instigators of these outrages could sometimes be traced, the United States district attorneys were unable to bring them to prosecution and punishment.

In the annual report of the First Assistant Postmaster-General for the fiscal year ended June 30, 1899, it was stated that the question of the inviolability of the mail boxes placed upon the rural free-delivery routes was one that had commanded the earnest attention of the Department. It was suggested that it would be good policy for the Government to adopt, after advertising for proposals, some uniform style of box for the rural free-delivery service, to be rented to the patrons of the delivery at some moderate price which would yield the Government reasonable interest on its investment and provide a fund for the proper care and maintenance of the boxes. It was pointed out that the Government now supplied furniture to post-offices in towns and cities and charged rental for the use of boxes, ranging from 15 cents to 50 cents a quarter for call boxes, and from 25 cents to \$4 a quarter for lock boxes, and that a similar plan could well be adopted in the rural service.

In support of this proposition it was urged that grave questions had been raised whether mails placed in the ordinary rural letter boxes for collection or delivery fell within the provisions of sections 1423 and 1424 of Postal Laws and Regulations, providing penalties for malicious injuries to letter boxes or destruction of mail matter deposited therein. It was urged that all uncertainty on these points would be removed if the boxes were provided by the Government. Each would then be a miniature post-office, and persons guilty of malicious molestation or theft would clearly be amenable to the penalties prescribed by the laws of the United States.

No action being taken by the Congress on the recommendation at that session, it was specifically renewed and emphasized in the report of the First Assistant Postmaster-General for the fiscal year ended June 30, 1900. Stress was laid upon the embarrassment which the designation of boxes suitable for rural free delivery imposed upon the officers of the rural free-delivery service in the absence of any distinct and controlling provision of law, and, in view of the rapid development of the rural-delivery system, Congress was again asked to give authority for the selection of a rural box to be purchased and maintained by the United States, and to be leased to the patrons of rural free delivery at a trifling annual charge. This recommendation also failed to receive action.

In the meantime the complaints of the insecurity and unsuitability of rural boxes increased, and with over 4,000 routes in operation and more than 6,000 petitions pending and unacted upon for the extension of the service, the Department felt impelled to take action. On the 12th of January, 1901 (see report of First Assistant Postmaster-General for that fiscal year, p. 44 et seq.), the Postmaster-General appointed a commission composed of five Post-Office officials, selected from the different branches of the service, in whose judgment, discretion, and integrity the Department had full confidence, to examine all designs of rural boxes submitted to them, and to recommend such as seemed best suited for the service. Thirty days' notice of the meeting of this commission was given in the official bulletin and through the public press. All persons having designs for rural free-delivery boxes were asked to submit them for examination on or before February 15, 1901. The commission met in Washington City on the 18th of February, 1901, and remained in open session until the 5th of March, 1901, examining all models of boxes submitted, and giving public hearings to all inventors and promoters who desired to point out the merits of their respective devices.

Although the order of the Postmaster-General named the 15th of February, 1901, as the last day to receive models for examination, the commission rightly determined that it was the purpose of the Department to give the widest possible scope to the investigation, and examined all boxes submitted to them up to the day of their adjournment. Certain requirements as to material of construction, size, shape, and accessibility were determined upon, and 14 of the 63 models submitted were reported upon as being suitable for adoption in the rural free-delivery service. The manufacturers of these boxes resided in different sections of the country, and each submitted written specifications agreeing to furnish boxes of the approved model at stipulated prices, ranging from \$1 up to \$3.50 each, according to quality and workmanship.

On the 28th of March last the report of the commission, with the list of approved boxes, was approved by the Postmaster-General in an official order which declared that before any rural service should be hereafter established it would be necessary for the patrons to make selection from this list of approved boxes and to equip the route with them. To this order was added this significant statement:

"When a rural free-delivery route has been equipped with boxes of the above-named description, the Department will consider these boxes as falling under the protection of section 5406 of the United States Revised Statutes, which provides severe penalties for any person who shall willfully or maliciously injure, deface, or destroy any mail matter deposited in any letter box, pillar box, or other receptacle established by authority of the Postmaster-General."

The Department thus endeavored to meet the difficulty of throwing the protection of the United States statutes round the boxes used in the rural free-delivery service. I am glad to say that this plan has proved successful in operation. Since the 28th of March, when this order went into effect, 4,305 new rural routes have been established, serving, at the lowest computation, 490,500 farmers' families, each of these routes equipped with one or more of the boxes designated by the Department. The complaints received by the Department of hardship or wrong inflicted on the farmers themselves by this order have been exceedingly few in number, and, on investigation, have been generally found lacking in justice. On the other hand, innumerable letters have been received from beneficiaries of the service, stating that they would be willing to pay almost any amount rather than have it discontinued. There has been a marked decrease in reported cases of malicious destruction of mail boxes on rural routes thus equipped, and in some instances, where the perpetrators of such outrages have been discovered, the United States district attorneys have had no difficulty in bringing them to conviction and punishment.

By the vast majority of the patrons of rural free-delivery it has been deemed far less of an abuse and wrong to be compelled to pay one or two dollars for an approved metallic box, which becomes his own property and insures the protection of his mail and its delivery and collection near his doorway, than to be obliged to drive perhaps 5 miles to the country post-office and to pay 15 or 25 cents a quarter for a call box to secure his mail.

Having said this much in regard to the action of the Department in the past, I will add, for your information, that it is the intention of the Postmaster-General to order another commission to take up the rural box question again and fully consider it in all its relations to the public and the Department, with a view of recommending a method of removing all just cause of complaint, if any such exist.

Very respectfully,

W. M. JOHNSON,  
First Assistant Postmaster-General.

Hon. B. R. TILLMAN,  
United States Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LIGHT-KEEPER'S DWELLING AT CALUMET HARBOR, MICHIGAN.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7675) "to construct a light-house keeper's dwelling at Calumet Harbor," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

JAMES McMILLAN,  
KNUTE NELSON,  
A. S. CLAY,  
Managers on the part of the Senate.  
WM. P. HEPBURN,  
JAMES R. MANN,  
R. C. DAVEY,  
Managers on the part of the House.

The report was agreed to.

CHINESE EXCLUSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of the bill (S. 2960) "to prohibit the coming into and to

regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent."

The motion was agreed to.

Mr. FOSTER of Washington. Mr. President—

Mr. PENROSE. I yield to the Senator from Washington.

CLALLAM COUNTY, WASH.

Mr. FOSTER of Washington. I ask unanimous consent for the immediate consideration of the bill (S. 4355) authorizing the issuance of a patent to the county of Clallam, State of Washington.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with an amendment, in line 10, after the word "county," to insert "subject to all other valid adverse rights;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior shall cause a patent to issue conveying to the county of Clallam, in the State of Washington, for county purposes, to be expressed in patent, all the right, title, and interest of the United States in and to a parcel of land 220 feet in width off the east side of suburban block No. 26, as shown on official plats of the town site of Port Angeles, in said county, subject to all other valid adverse rights.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MONUMENT AT CHARLOTTE, N. C.

Mr. SIMMONS. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 155) granting permission for the erection of a monument in Charlotte, N. C., for the ornamentation of the public grounds in that city.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHINESE EXCLUSION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

Mr. GALLINGER. I submit an amendment intended to be proposed to the pending bill, and ask that it be printed and lie on the table.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. DILLINGHAM. Mr. President, in addition to the reasons which I have already urged why Congress ought not to legislate in this bill upon the conditions existing in the Philippines, there is a further reason which has been urged before the committee. It is that this bill, in some of its provisions, is unconstitutional. I notice that when the bill was introduced by the Senator from Oregon [Mr. MITCHELL] he reserved the right to offer amendments if he became satisfied that any of the provisions were unconstitutional. I do not know to which particular provision he referred, but it seems to me that that portion of the bill which applies to those who have been born in the Philippines since the treaty of Paris was ratified, and those who may be born there hereafter, is clearly unconstitutional, for the reason that if a child has been born in the Philippines since that time, such child becomes an American citizen.

In support of this proposition, I beg to refer to the case of the United States v. Wong Kim Ark, in which the Supreme Court of the United States held that—

A child born in the United States, of parents of Chinese descent, who, at the time of his birth, are subjects of the Emperor of China, but have a permanent domicile and residence in the United States and are there carrying on business, and are not employed in any diplomatic or official capacity under the Emperor of China, becomes at the time of his birth a citizen of the United States by virtue of the first clause of the fourteenth amendment of the Constitution.

The clause of the fourteenth amendment quoted by the court reads as follows:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

The opinion of the court in this case is very long, but after devoting a good many pages to the reasons governing its action, the court says:

Passing by questions once earnestly controverted, but finally put at rest by the fourteenth amendment of the Constitution, it is beyond doubt that before the enactment of the civil-rights act of 1866 or the adoption of the constitutional amendment all white persons at least, born within the sovereignty of the United States, whether children of citizens or of foreigners, excepting only children of ambassadors or public ministers of a foreign government, were native-born citizens of the United States.

Note the strong expression, "born within the sovereignty of the United States." Later on in the opinion the court say:

The foregoing considerations and authorities irresistibly lead us to these conclusions: The fourteenth amendment affirms the ancient and fundamental rule of citizenship by birth within the territory, in the allegiance, and under the protection of the country, including all children here born of resident aliens, with the exceptions or qualifications (as old as the rule itself) of children of foreign sovereigns or their ministers, or born on foreign ships, or of enemies within and during a hostile occupation of part of our territory, and with the single additional exception of children of members of the Indian tribes owing direct allegiance to their several tribes. The amendment, in clear words and in manifest intent, includes the children born within the territory of the United States of all other persons, of whatever race or color, domiciled within the United States.

It is evident that the word "territory" was used in its broad sense. I refer also to the case of *Loughborough v. Blake*, in 5 Wheaton, where, in discussing the question as to whether Congress has authority to impose a direct tax on the District of Columbia, etc., the court says:

The power, then, to lay and collect duties, imposts, and excises may be exercised, and must be exercised throughout the United States.

It then uses this language:

Does this term designate the whole or any portion of the American empire? Certainly this question can admit of but one answer. It is the name given to our great Republic, which is composed of States and Territories. The District of Columbia or the territory west of the Missouri is not less within the United States than Maryland or Pennsylvania.

If that be so, it seems to follow that the recently acquired territory stands in precisely the same relation to the mainland that any other territory stands which was acquired by the United States by treaty with a foreign nation.

I wish also briefly to refer to the case of *Downs v. Bidwell*, a recent case in which this question has been indirectly discussed, and in which the court, after quoting the fourteenth amendment to the Constitution of the United States, uses the following language:

And this court naturally held, in the slaughterhouse cases (16 Wall., 36), that the United States included the District and the Territories. Mr. Justice Miller observed: "It had been said by eminent judges that no man was a citizen of the United States except as he was a citizen of one of the States composing the Union. Those, therefore, who had been born and resided always in the District of Columbia or in the Territories, though within the United States, were not citizens. Whether this proposition was sound or not had never been judicially decided." And he said the question was put at rest by the amendment, and the distinction between citizenship of the United States and citizenship of a State was clearly recognized and established. "Not only may a man be a citizen of the United States without being a citizen of a State, but an important element is necessary to convert the former into the latter. He must reside within the State to make him a citizen of it, but it is only necessary that he should be born or naturalized in the United States to be a citizen of the Union."

It seems clear to me, therefore, every child who has been born in the Philippines since the ratification of the treaty of Paris becomes a citizen of the United States, and in so far as this measure attempts to affect his rights it is in conflict with the Constitution.

But there are other classes affected by this proposed legislation who are now residents in the Philippines. The treaty of Paris provides that:

Spanish subjects, natives of the peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce, and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance. In default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

There can be no difficulty in determining the status of that class of citizens. It is perfectly plain that unless within a year they announce their intention of retaining their Spanish citizenship they become citizens of the United States.

But there are other classes living in the Philippines whose rights have yet to be determined. The treaty, referring to one of them, says:

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

I assume that the second class mentioned in the treaty, the native classes, includes all those in whose veins runs Chinese blood. This number, we are told, is very large, and it may become a very important element in determining what shall be done under our policy of exclusion. They are not only large in number, but they are important in their station. Governor Taft in describing them says that among them are found the most highly educated, the wealthiest, the most intelligent citizens of the island, and we know pretty well what he thinks as a matter of policy of the proposition contained in this bill to exclude them from the mainland of the United States. I beg to refer briefly to what he said upon this subject. When he was before the Committee on Immigration, I took the liberty to ask him the following question:

There is a practical question which suggests itself to me about which I should like to inquire. Under the second section of this bill—

Governor TAFT. I have never read the bill.

Senator DILLINGHAM. I will call your attention to the thought I have in mind. The second section provides:

"That from and after the passage of this act the entry into the American mainland territory of the United States of Chinese laborers coming from any of the insular possessions of the United States shall be absolutely prohibited; and this prohibition shall apply to all Chinese laborers, as well to those who were in such insular possessions at the time or times of acquisition thereof, respectively, by the United States as to those who have come there since, and it shall also apply to those who have been born there since and to those who may be born there hereafter."

But going to another section, I think it is section 52, there is this provision: "That the term 'Chinese' and the term 'Chinese person,' as used in this act, are meant to include all persons who are Chinese either by birth or descent, and as well those of mixed blood as those of the full blood, and as well females as males. And wherever herein personal pronouns are used the masculine includes the feminine."

Governor TAFT. I do not think that section ought to be passed in that shape.

The CHAIRMAN. What section is it?

The reply being given, the governor proceeds:

Governor TAFT. It would apply to a great many people in the islands who are just as pure Filipinos in their looks and characteristics as a full-blooded Indian is.

The CHAIRMAN. How would you amend that provision?

Governor TAFT. I would say—

"Provided, That the provision as to mixed bloods shall not apply to the natives of the Philippine Islands."

Further in his testimony, speaking of this class, in answer to a question as to whether many of those who were about Aginaldo were Chinese mestizos, the Governor says:

Yes, sir. Both the Spanish and the Chinese mestizos are among the ablest men in the islands. They are among the wealthiest and best educated.

Therefore, Mr. President, it appears that under this bill that very class of intelligent citizens of the Philippines, those who are doing the business of the islands, because they happen to have a taint of Chinese blood in their veins, can not, under the provisions of this bill, seek entrance to the United States.

Mr. HOAR. They could not be elected commissioners.

Mr. DILLINGHAM. As is very well suggested by the Senator from Massachusetts, they might not be elected delegates or commissioners.

Mr. PENROSE. May I interrogate the Senator from Vermont on that point?

Mr. DILLINGHAM. Certainly.

Mr. PENROSE. I ask the Senator whether that is not the law at present. There is nothing new in this bill on that point. These half-breeds can not come into the United States now, under the Geary law.

Mr. DILLINGHAM. I do not remember what the provision is upon that subject, but if that is true it should be done away with, in my judgment.

Mr. PENROSE. That is the law as it is administered at present under the Treasury regulation.

Mr. DILLINGHAM. I repeat what I said yesterday; I believe this whole subject, as advised by Governor Taft in his testimony, should be relegated to the government existing in those islands, to be by it worked out in the light of the circumstances which they find existing there.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER (Mr. HANSBROUGH in the chair). Does the Senator from Vermont yield to the Senator from South Carolina?

Mr. DILLINGHAM. Certainly.

Mr. TILLMAN. I should like to have the Senator from Vermont tell me, as he is keeping tab on the decisions of the Supreme Court, what is the status of the mixed Chinese now in the Philippines, our fellow-citizens, or subjects, or colonists, or whatever they are.

Mr. DILLINGHAM. I will take that subject up in a few moments, if the Senator will permit me.

Mr. TILLMAN. If the Senator is going to touch upon that point—

Mr. DILLINGHAM. I think I will come to it very soon.

Mr. TILLMAN. I just wanted to know whether they have any rights in regard to coming to this country, to the mother country, or to the conquering country, or to the owning country, or whatever you call it.

Mr. DILLINGHAM. I am frank to say that I not only think they have the right, but I believe they should have it. However, under the pending measure, if it becomes a law, they can not have it.

In this connection, as bearing upon the question of their status, I would refer to the recent case known as the "diamond rings case," where the court, in speaking about the ratification of the treaty of Paris, uses this language:

The treaty was ratified; Congress appropriated the money; the ratification was proclaimed. The treaty-making power, the Executive power, the legislative power concurred in the completion of the transaction.

The Philippines thereby ceased, in the language of the treaty, "to be Spanish." Ceasing to be Spanish, they ceased to be foreign country. They came under the complete and absolute sovereignty and dominion of the United States, and so became territory of the United States over which civil government

could be established. The result was the same, although there was no stipulation that the native inhabitants should be incorporated into the body politic, and none securing to them the right to choose their nationality. Their allegiance became due to the United States, and they became entitled to its protection.

I do not know, Mr. President, of any definition of citizenship that could be made more perfect than the phrase to which I have last called your attention. It is true—

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield?

Mr. DILLINGHAM. Certainly.

Mr. TILLMAN. In this connection, then, I should like to ask the Senator whether the provision in the bill which is pending which would seek to bar out those people would not be set aside by our Supreme Court, if it stands by the decision which he is just quoting?

Mr. DILLINGHAM. I should expect so; I should hope so.

Mr. TILLMAN. Would not the court stultify itself if it did not?

Mr. DILLINGHAM. Well, I do not care to answer that question. I can only give my opinion, and that is a modest one. I do not claim to be a very profound constitutional lawyer.

It is true that after the time when that treaty was ratified there was a joint resolution passed this body and the House of Representatives which provided as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the United States and the inhabitants of said islands. (CONGRESSIONAL RECORD, Fifty-fifth Congress, third session, vol. 32, p. 1847.)*

But in the case from which I have been reading, the "Diamond-Rings case," the court refers to that resolution in this language:

But it is said that the case of the Philippines is to be distinguished from that of Porto Rico because on February 14, 1899, after the ratification of the treaty, the Senate resolved, as given in the margin—

Which I have just read—

that it was not intended to incorporate the inhabitants of the Philippines into citizenship of the United States nor to permanently annex those islands.

We need not consider the force and effect of a resolution of this sort if adopted by Congress, not like that of April 20, 1898, in respect of Cuba, preliminary to the declaration of war, but after title had passed by ratified cession. It is enough that this was a joint resolution; that it was adopted by the Senate by a vote of 26 to 22, not two-thirds of a quorum, and that it is absolutely without legal significance on the question before us. The meaning of the treaty can not be controlled by subsequent explanations of some of those who may have voted to ratify it.

And more, which it is not necessary that I should read.

Mr. VEST. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Missouri?

Mr. DILLINGHAM. Certainly.

Mr. VEST. I understood the Senator to state—and of course if he did so it was done inadvertently—that the McEnergy resolution passed the House of Representatives.

Mr. DILLINGHAM. I understood it so.

Mr. VEST. No; it never passed the House. It only passed the Senate, and it was never heard of afterwards.

Mr. DILLINGHAM. I was led into that error, if the Senator from Missouri will allow me to explain, from the fact that it took the form of a joint resolution. I am very glad to be corrected.

Mr. TILLMAN. I was just looking. I was surprised that the Senator should make the assertion. I recalled the fact the Senator from Missouri mentions. I did not recollect that it had ever passed the House, and I was looking into the statutes to find it.

Mr. DILLINGHAM. I was led into the error in making that statement from the fact it began "Resolved by the Senate and House of Representatives." I am very glad to be corrected.

But in that case, Mr. President, there is a definition of citizenship which has two strong elements in it, that of allegiance on the part of the inhabitants to the United States and the corresponding element of protection on the part of the Government toward the person owing such allegiance. Can a better definition be found? It is not necessary in order to constitute citizenship that there shall be the right to vote. It is not given to women, but they have been held to be citizens; nor to minors, nor to illiterates, to paupers, and certain other classes.

But if it should finally be held that this class of persons are not citizens, even then the same duty rests upon the Government of the United States in respect of them that would rest upon the United States if they were held technically to be citizens, because they are a class of persons, adopting the language of the court, whose allegiance became due to the United States, and what else? They became entitled to the protection of the United States.

What kind of protection does that imply, Mr. President? Does

it not imply the protection that is guaranteed by the Constitution and the laws, that they shall be protected in their liberty, in all of their personal rights, in the right of travel and of entry into this country? And yet, if this bill becomes a law, I do not see how one of that class coming to the port of San Francisco can, under this measure, be admitted. I sincerely hope that if the bill is to be enacted, its friends will take this matter under calm consideration and see to it that it is so amended as to do no wrong to this very important class of citizens.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Colorado?

Mr. DILLINGHAM. Certainly.

Mr. PATTERSON. I would ask the Senator whether it is his contention that the inhabitants of the Philippine Islands are citizens of the United States?

Mr. DILLINGHAM. I am very strongly of the impression that certain classes of them will be so declared. I am aware that the question has not been determined.

Mr. PATTERSON. I was asking the Senator for his individual view. Does he believe that they are citizens of the United States?

Mr. DILLINGHAM. I think some of them are.

Mr. PATTERSON. That is indefinite.

Mr. DILLINGHAM. Well, I have just discussed one class. I will discuss another class, if the Senator will allow me.

Mr. PATTERSON. Let me call your attention to the fact that in the bill reported from the Committee on the Philippines, known as the "government bill," reported by the majority, it is declared that all the inhabitants of the Philippine Islands who were there at a certain time are citizens of the Philippines, and not a word is said about being citizens of the United States.

Mr. DILLINGHAM. I have not examined that bill, Mr. President.

Mr. PLATT of Connecticut. The Senator refers to the bill which has been reported from the committee?

Mr. PATTERSON. Yes, sir; it is the bill which has been reported.

Mr. DILLINGHAM. I have not yet examined that bill. I am discussing this question at the present time in view of what may be held by the court regarding the different classes of inhabitants of the Philippine Islands with the thought that in the enactment of this bill into a law we should do no injury to the rights of any one of those classes, and with the purpose in my mind, if there are others who think as I do, to cause this provision of the bill to be stricken out.

Mr. HOAR. I do not like to interrupt the Senator's very interesting argument, but in connection with the point raised by the Senator from Colorado, may I call his attention to the consideration that however the existing Filipino may be dealt with, persons hereafter born in the Philippine Islands will be likely to become citizens under the operation of the fourteenth amendment?

Mr. PATTERSON. Will the Senator from Vermont permit me to ask the Senator from Massachusetts a question?

Mr. DILLINGHAM. Certainly.

Mr. PATTERSON. Does the Senator from Massachusetts claim that the Philippine Islands are a part of the United States?

Mr. HOAR. I do.

Mr. PATTERSON. I believe that he and I concur in that view, but he is sustained in that view by only four of the judges of the Supreme Court.

Mr. HOAR. The other judges, as I understand it, do not reject that particular view. The declaration which has already been read by the Senator from Vermont of Chief Justice Marshall would seem to be as absolute a declaration on that subject as you can put into words, and the declaration in the "Diamond Rings case" also states, as the Senator from Vermont has very well said, as good a definition of citizenship as could be put into words. But they do not call them citizens. We have the declaration of Chief Justice Marshall that territory of the United States is a part of the United States.

Mr. PATTERSON. I know, but the Supreme Court set aside the decision of Chief Justice Marshall.

Mr. HOAR. I do not think they have done so in that particular. We have the declaration of the present Supreme Court that they have the quality which we usually consider to be a complete and perfect definition of citizenship.

Mr. PATTERSON. I will say this—

Mr. HOAR. Now, then—

Mr. PATTERSON. Just one moment—

Mr. HOAR. Then you have the fourteenth amendment in addition, that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States."

Mr. PATTERSON. If the majority—

Mr. PLATT of Connecticut. "And of the State wherein they reside."

Mr. HOAR. The Senator from Connecticut I dare say may think it does not apply to persons born in the Territories.

Mr. PATTERSON. I wish to suggest that the Senator from Massachusetts stands almost alone among the Senators upon the other side of the Chamber in favor of the proposition that the Constitution of the United States has anything to do with the Philippine Islands. He stands almost alone. If the other side of the Chamber will put itself upon record in favor of the proposition that the Constitution extends to the Philippine Islands, it will remove many a controversy.

Mr. HOAR. The Senator will pardon me. The point is not whether the Constitution of the United States extends to the Philippine Islands. The point is what are the constitutional rights of a particular individual or a thousand individuals when in the United States or when seeking to come in, and whether the person is a citizen or not.

I do not suppose the Constitution of the United States secures me trial by jury in Calcutta, and I might be tried by a United States consul and sentenced to death for an offense, or certainly in Egypt, or until very recently. But when I am here or when I present myself at the door to come home, the question whether I am a citizen of the United States is a United States domestic question. Therefore if he is a man born in the United States, he has a right to have the Constitution over him when he gets here.

The question whether he is born in the United States depends on whether Chief Justice Marshall was right when he said the Constitution includes Territories. If the Constitution does not include Territories, then there is certainly one member of this body who was born in a Territory who is not a citizen now. I do not remember who it is, but there is a Senator here who was born in one of the Territories. I have forgotten which Senator it is.

Mr. PATTERSON. I take it, Mr. President, that when a person is within the United States, and lawfully within the United States, his relation to the United States is wholly different from that of one who is without the United States and seeks to enter the United States. If he is a foreigner, he may be excluded. So far as the Filipinos are concerned, no matter what Chief Justice Marshall may have decided in the past, a judge of the highest court of this land whom all who have knowledge of the law have held in great reverence up to this time, Chief Justice Marshall has not stood in the way of the Supreme Court of the United States in reaching the decision it has reached with reference to the Philippine Islands. No man can tell in the present condition of the Supreme Court decision what the ultimate decision of that court may be with reference to the inhabitants of those islands. The probabilities are that the Supreme Court will hold that they are not citizens of the United States.

Mr. HOAR. I do not see how the Senator can say that. There is nothing to be extracted from the recent opinions of the Supreme Court except the judgment. There is no doctrine or principle to be established except so far as a majority of the court have spoken through the mouth of some judge in his opinion. In the Diamond Rings case that has happened. The majority of the court have spoken through a judge delivering the opinion, and no member of the minority has put in a doubt, if I remember aright, in regard to that doctrine. So we may take that as not only a judgment, but as a statement of the principle on which it proceeds. When you come to the other cases, the Senator is more fortunate than I am if he has discovered anything beyond the judgment as a matter on which the judges have agreed in the way of principle.

Mr. PATTERSON. If the Senator from Vermont will bear with me for one moment, I will not interrupt him further.

Mr. HOAR. They dissented in the Diamond Rings case, I agree, from the judgment; but there was no dissent on the part of any judge from the particular statement of doctrine which they made.

Mr. PATTERSON. I imagine no one will claim the Supreme Court did not distinguish between the Territories of the United States and a simple territory appurtenant to the United States. It was for that reason that a majority of the court held that we could have one set of revenue laws for the United States, including the organized Territories of the United States, and another set of laws for the Philippine Islands; that while the islands constituted domestic territory, they were yet so foreign to the United States that they did not receive the protection of the Constitution of the United States, at least in so far as our Federal tax laws are concerned.

To-day we have in the Philippine Islands an internal-revenue law entirely and wholly distinct from the internal-revenue law we have here. The whole mass of law we are making for the Philippine Islands is upon the theory that those islands are outside the protection of the Constitution, except, as hinted in one of the decisions, that the provisions of the Constitution which relate directly to what may be termed inherent rights of the individual may in the end be held to extend over them; but when you come to the matter of citizenship, they are not citizens of the

United States by any intimation which has been given by the Supreme Court of the United States.

Mr. PLATT of Connecticut. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Connecticut?

Mr. DILLINGHAM. Gladly.

Mr. PLATT of Connecticut. It is really not fair to the Senator from Vermont to ask him to yield, and yet I want to say that I do not think the Supreme Court has yet decided that, under the fourteenth amendment to the Constitution, a child born in the Philippine Islands becomes thereby a citizen of the United States. That question was certainly not before the court.

Mr. PATTERSON. No; it was not as a distinct question.

Mr. HOAR. The Senator from Vermont does not claim that it was.

Mr. DILLINGHAM. I do not claim that.

Mr. PATTERSON. If the Senator from Vermont will permit me, I wish to say that the friends of this measure are not going to stickle for that provision in the present bill, which relates to children born in the Philippine Islands since the date mentioned in the bill.

Mr. DILLINGHAM. But there is still another class of residents in the Philippine Islands to whom the provisions of this bill may apply. If a native of China, we will say, who had become a Spanish subject was in the Philippines at the time when the treaty of Paris was ratified, what is his present status? We know that the Spaniards who were born on the Peninsula have the right to retain their citizenship of Spain; we know that those who choose to do otherwise, under the terms of the treaty of Paris, become citizens of the United States; but here is this other class covered by this bill who may have become citizens of Spain under the Spanish law, and the question presents itself for solution at some time whether they have not come to us with the territory that Spain ceded and whether under the general rule of international law they have not become citizens of the United States. I simply throw that out as a suggestion without again referring to the language of the court which I have already cited.

Mr. President, I did not intend to inject a discussion of the question of citizenship into this debate, but simply to call attention to the fact that there are several different classes in the Philippines upon whom one rule might operate differently, or to protect whom different rules might be required, and to suggest a reason why in this particular legislation the Philippine situation should not be disturbed, but that the whole question should be taken up by some other committee and such action taken as will be just to all classes.

It seems to me that it is unfair to the government which will probably be established in the Philippines to inject into this bill provisions governing those questions which it alone should consider, and which may prove an embarrassment in establishing such government and putting it in operation.

It appeared before the committee that the Government is already troubled, as well it may be, by the condition in which we find ourselves there. Representative HITT was present when Governor Taft was testifying, and, after asking some questions, he made this statement:

Representative HITT. The opinion of the Attorney-General is that in granting passports we can describe persons in the Philippines and Porto Rico, if we amend the law, as persons owing allegiance to the United States, and commend them, therefore, to the protection of all our officers, etc., throughout the world. That would be equivalent to the present passport, which under the law must be issued only to citizens of the United States.

It struck me curiously, when I heard that statement, that the Government should contemplate issuing something in the nature of a passport to the people of the archipelago because they owe allegiance to the United States and because the United States owes to them the protection which is their due, to afford them protection in foreign countries, and at the same time enact a law that those same persons, when they approach the port of San Francisco, shall not have the right to enter and come to the capital of their nation. I do not think there should be such a provision in this bill.

There is another suggestion made by Governor Taft which is worthy of consideration; a question which has presented itself to the Philippine Commission, a question they have been obliged to consider, and one that we shall be obliged to consider here in the United States. Governor Taft says:

Governor TAFT. There is one question which I suppose you have taken into consideration. That is the international question of excluding Chinese subjects of European governments from United States soil. That has been presented to us by consuls and others interested for other governments.

Senator DILLINGHAM. Senator Fairbanks, that is the question I suggested the other morning.

Senator LONGE. You mean the French?

Governor TAFT. Take the Chinamen who live in Hongkong, who have their homes there, and are subjects of the British King. They are British subjects. Then I suppose those in Tonquin are Chinamen and are French citizens. We had a question in relation to certain inhabitants of one of those countries over which France has jurisdiction, but who are not Chinamen. They do not wear the pigtail. They were admitted.

The question that has been presented there will undoubtedly be presented here, and this fact should be recognized.

But leaving that subject, I desire to call the attention of the Senate to some of the specific provisions of the bill, and, first, to a provision found at the bottom of page 27. It reads as follows:

But the Commissioner-General of Immigration, with the approval of the Secretary of the Treasury, may at any time suspend the privilege of transit in any case or in all cases where the transit is sought by laborers coming from any insular territory of the United States.

When we look at another section in this bill for a definition, we find that the term "laborers" covers every person who is not an official, a teacher, a student, a merchant, a traveler for curiosity or pleasure.

The treaty of 1894 contains this clause:

It is also agreed that Chinese laborers shall continue to enjoy the privilege of transit across the territory of the United States in the course of their journey to or from other countries, subject to such regulations by the Government of the United States as may be necessary to prevent said privilege of transit from being abused.

It seems to me, therefore, that the provision of the pending measure which gives to the officers of our Government the unqualified right whenever, in their judgment, they see fit to suspend the right of transit is clearly in conflict with the provision of the treaty between the United States and the Empire of China, which only gives our Government the right to adopt regulations, etc.

It can not be said that we have the right to do this because the subjects of China may happen to be residents of territory that belongs to the United States. That makes no difference. It applies, it is true, in terms to those coming from insular territory, but if they are subjects of China, resident there, they are as much entitled to the privilege of transit through this country as though they came from Hongkong or any port of China. If, on the other hand, the man who is Chinese by birth happens to have become a citizen of the United States through residence in the islands, he may come into the United States regardless of any law which we may pass, because it would be his constitutional right to do so.

But, regardless of the question of legal construction, it seems to me that it is entirely against the policy of our Government to adopt legislation of this character. It is not only a wrong which we are perpetrating upon that class of people to whom I have before called attention, who are among the best educated, the wealthiest, and the most influential in the islands, but, as I have said, it is a direct violation of the treaty obligation existing between the respective countries.

Mr. MITCHELL. To what provision of the bill is it that the Senator has referred?

Mr. DILLINGHAM. The provision at the bottom of page 27, which gives the Commissioner-General of Immigration, with the approval of the Secretary of the Treasury, full power to suspend the privilege of transit, when, under the treaty, we have only the right to regulate it. Why should we do this?

Earlier in my remarks I called attention to the very small number of those who have been deported from our country because of being here illegally. I find by examining the brief of the Assistant Attorney-General, filed in one of the pending cases in the Supreme Court of the United States, that he makes the statement that between 1883 and 1901, a period of eighteen years, there were only 37,688 applications for the privilege of transit, or an average of about 2,100 annually, and that during that time none of those were refused. In examining the figures for the last eight years I find the number applying for that privilege has decreased so that it has amounted upon an average to only about 1,490 annually.

Mr. MITCHELL. The power of suspension only applies to laborers coming from the insular possessions.

Mr. DILLINGHAM. I understand that; but if the Senator from Oregon will permit me, what difference does it make whether a subject of the Chinese Empire comes from China or from the Philippines?

Mr. MITCHELL. That is a question for argument. I simply wished to call attention to the fact.

Mr. DILLINGHAM. I understood that, if the Senator please, but my argument was that that fact made no difference.

There is another clause of this bill which seems to be against public policy and against national prosperity.

Mr. MITCHELL. I will say to the Senator in relation to the point to which he has just been referring—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Oregon?

Mr. DILLINGHAM. Yes, sir.

Mr. MITCHELL. I can readily see a very wide difference between the power on the part of the Commissioner-General of Immigration to suspend the privilege of transit of persons coming from insular territory and the power to suspend the privilege of transit of persons coming from the Chinese Empire. We have the right under the treaty of Paris to legislate in regard to our

own people, and it seems to me that the treaty with China does not affect this case at all.

Mr. DILLINGHAM. We have the power, I admit, under the treaty of Paris to legislate in relation to natives of the Philippines and to determine their civil and political rights; but I do not see the distinction, which the Senator suggests, if the person coming from the Philippines is a subject of the Chinese Empire.

The provision to which I wish to call attention is that known as the shipping clause, which will be found on page 40 of the reprinted bill. It provides:

And it shall be unlawful for any vessel holding an American register to have or to employ in its crew any Chinese person not entitled to admission to the United States, or into the portion of the territory of the United States to which such vessel plies; and any violation of this provision shall be punishable by a fine not exceeding \$2,000.

Other provisions follow which it is not necessary that I should read.

From the facts which have been placed before us it appears that the Pacific Mail Steamship Company, which is the only American line plying between San Francisco and Hongkong, as I now remember, not only operates that foreign line, but also a line between San Francisco and Panama, using in that service seven vessels, and that upon no one of the vessels of that line is a Chinese crew employed. It appears also, both from the testimony and from the statement of the Senator from California [Mr. PERKINS], that Chinese crews are not employed on the line in which he is interested, which by some has been called the "good old Perkins line," operating from San Francisco to ports north of there, if I am correctly informed. That there is another line of steamships from San Francisco to Australia, and that no Chinese are employed upon that line; and I understand the reason for it is that there are no Chinese seamen who can be employed upon those lines. If they obtain them at all it must be in California, and the number of the Chinese in California has become so much reduced that those remaining there at the present time have other employment and are not looking for employment upon ships. Therefore those who employ Chinese crews are the foreign lines of steamships.

If this bill becomes a law it will operate, as the evidence tends to disclose, simply upon the three vessels that are now running between San Francisco and Hongkong, and belonging to the Pacific Mail Steamship Company, and to any other vessels which they may subsequently attach to their lines.

It further appears in evidence that engaged in this foreign trade there are 60 ships between Hongkong and the Pacific coast ports; that 90 per cent of them fly the flag either of Great Britain or of Japan; that this 90 per cent employ Chinese crews in whole or in part; many of them also are benefited by subsidies granted by their governments. Therefore the operation of this bill will be to require the three American vessels which I have mentioned to enter into competition with all of this vast number of ships sailing under foreign flags which are permitted to carry Chinese crews, and the legitimate result of such legislation will be that these vessels will be driven either to go out of business or to sail under a foreign flag.

It appears that of the crews of these three vessels there are 105 white men employed and 311 Chinese; in other words, more than one-third of these crews are white men. If compelled to ship entire white crews the increase in wages alone would be \$144,000 annually. In addition to these ships, there are now building at Newport News for that company two of the largest and finest ships that have been produced in this country, and I am informed that if they go into commission under the provisions of this bill it will increase the annual expense of operating each one of them by the sum of \$75,000. This being so, if this line continues in operation, the bill would result naturally in laying upon this company an increased burden of \$300,000 annually in the operation of these lines. This fact has been recognized very fairly and frankly by some of the advocates of the bill. Mr. Livernash, the author of this bill, had his attention called to this increased cost of operation when he was before the committee, and, referring to representations made to the committee by counsel for the company, he said:

It is because I know that representation to be true that I agree with the suggestion of the Senator from Indiana—that is, that if the provision under discussion were to be made law, it would be advisable, and perhaps necessary, to do something by way of subsidy or otherwise to enable American ships to meet on something like a common basis of expense those foreign competitors not obliged to employ white seamen, but left free to employ the cheaper Chinese labor.

However, the possible, or even probable, need of subsidy does not relieve the Congress of its duty toward the American seamen, nor absolve it from concern lest the progress of the world toward a great commercial expansion in the Far East shall operate to give the Pacific Ocean to yellow sailors rather than to white.

He had before that time used this language:

Speaking tentatively, for again I must remind the Senators that my information on this subject is comparatively vague, I will say that it seems to me probable something would have to be done for shipowners, by subsidization

or otherwise, if the Congress should determine to drive Asiatics from American ships.

So I may say further, in referring to that provision, that the legislation is aimed directly at that company, and unless they do receive a subsidy they will inevitably be compelled to pass out from under the American flag.

It further appeared in evidence that no danger attaches to the United States, because these crews are all shipped in Hongkong. Their contract calls for a voyage to San Francisco and return to Hongkong, and they do not receive their pay until they reach that port. They are not allowed to land in the United States. Again, suppose this provision is adopted, and this steamship company or any other American company sees fit to establish a line between the Philippines and China, where they would be unable to procure other seamen than those of Chinese birth, it would be a double burden upon such a corporation and a direct prohibition, if I may use that word, upon the employment of American capital in the establishment of such an enterprise.

But the promoters of this bill go a step further in this direction and provide—

SEC. 39. That the master of any foreign vessel which shall bring to the United States in the crew of such vessel, or otherwise in its service, any Chinese persons not entitled to entry, shall be required to execute a bond satisfactory to the Treasury Department, in the sum of \$2,000 for each of said Chinese persons, the condition of said bond being that none of such Chinese persons shall be permitted to land from said vessel for any purpose whatever, with or without the permission of said master, while said vessel remains within the United States. The bond shall be canceled upon the certificate of the appropriate Treasury officer that all Chinese persons covered by it have departed from the United States on said vessel.

What would be the operation of that section? Ninety per cent of the lines between Hongkong and San Francisco are foreign, largely British and Japanese. They come in and stay just long enough to unload their cargoes and take on others; and yet if a vessel came in bearing a crew of 100 men the master of that vessel must look around and execute a bond in the sum of \$200,000 each and every time he comes into port, a bond to last only so long as his vessel shall remain there discharging her cargo.

I do not know, I am not sufficiently acquainted with the circumstances to know, what the effect of such a provision would be upon lines that are doing business on our Pacific coast; but it looks to me as if it is arbitrary in its character; that it does not bring any corresponding advantage to the United States. Other legislation can be made just as effective without being made burdensome to those companies that are bringing so much business to us.

I want also to say a word in relation to the proposal in this bill which gives to our officer on the dock in San Francisco the right to sit in judgment upon the certificates that are issued to the privileged classes by the Chinese Government and are viséed by American diplomatic and consular agents abroad. Article III of the treaty of 1894 reads as follows:

The provisions of this convention shall not affect the right at present enjoyed of Chinese subjects, being officials, teachers, students, merchants, or travelers for curiosity or pleasure, but not laborers, of coming to the United States and residing therein. To entitle such Chinese subjects as are above described to admission into the United States, they may produce a certificate from their Government or the government where they last resided viséed by the diplomatic or consular representative of the United States in the country or port whence they depart.

That is the provision contained in that treaty. The treaty was adopted subsequent to the enactment of every law bearing upon that question. It is evident that the treaty is superior to any law adopted previous to its ratification when the provisions of the treaty and the law conflict; and yet the practice of our Government has been to subject those coming from China to examination, and the right has been claimed and exercised to reject the certificates which have been granted by the Chinese Government and viséed by our diplomatic or consular representatives as sufficient evidence of the right to land.

I wish to speak a little upon the equities of the case. This conduct on our part has been justified, as the evidence tends to show, by the fact, asserted to be true, that our diplomatic agents abroad are careless in the exercise of their duty and do not make a proper examination of those who receive the Chinese certificates, and that for that reason it is necessary that this should be done.

I stand here to assert that if we have a State Department, that Department should take those officers in hand and see to it that if a person who, under the treaty, has a right to come to America, being one of the privileged classes, receives from his Government a certificate to that effect, such agents of the State Department should give such an examination to the matter as will enable them to speak with authority on that subject, and that when a person belonging to either privileged class steps upon the steamship at Hongkong or any Chinese port bearing such a certificate so viséed he shall do so with the consciousness that he has a document which will give him entrance into the United States. It is a wrong, it is a hardship to a subject of China, entitled under the treaty to come here, to be obliged to go to San Francisco to have his case tried and then have it determined whether he has the

right to come into our country or not. It ought not to be so. It does not accord with our way of dealing with other nations.

In this connection, I may say, I received in my mail this morning a letter from a clergyman of my acquaintance, in which he says:

I know personally, they being my parishioners for six months, a Chinese preacher, who for years has spent himself in the Chinese quarter of New York City, whose wife was kept from him for more than two years under the present laws—

He means under the present administration of the law—and even though, finally, passports from our State Department were gotten into her hands—

He evidently means, by passports, the certificates required by the treaty—

and the husband went to the coast for her, she was confined with the riffraff of the steerage for fully a month before one department of the Administration would recognize the papers of the other.

In other words, the Treasury Department, in the administration of the law, would not recognize papers provided for by the treaty which were issued by the agents of another department of the Government.

I wish to call attention to the merchant class provided for both under the treaty and by the provisions of this bill. The definition of "merchant" has often been quoted in this debate. I do not know that it is necessary that I should quote it again, but I will do so simply to call attention to it:

It must appear to the satisfaction of the appropriate Treasury officer at the port of entry that he comes to exercise in good faith his calling as a merchant, and that calling exclusively, and that he has the means under his immediate control for forthwith becoming, and has completed the arrangements for forthwith becoming, the owner, in whole or in part, of a good-faith mercantile business in the United States, or any portion of the territory thereof.

It is perfectly plain that under such a provision no person of the mercantile class can seek our shores unless he has already completed his arrangements for entering into trade at some definite place within our territory. Now, think of it! In this age of progress, when China is the only unexplored field for our commerce, when we are seeking to thrust our manufactures upon the merchants of China, a person engaged in trade in China can not so much as send to the territory of the United States a purchasing agent! I offered the other day an amendment which provides that in addition to the privileged classes mentioned in section 4 there may be permitted to come to the United States not to exceed five good-faith representatives of each regularly established wholesale commercial house in China.

The history of that amendment is this: The matter was discussed in committee. The draftsman of this bill signified his desire—a generous and fair desire—that such purchasing agents should be permitted to come into this country if it could be done without allowing a misuse of the statute to be made. After some consideration the author of the bill presented to the committee an amendment, of which this paper is an exact copy, or supposed to be an exact copy. It was incorporated in one of the prints of the bill, of which there were several. The discussion relating to the matter, if anybody is interested in reading it, will be found on pages 132 and 133 of the record. If they will refer to page 156 they will find in the parallel column provided by the author of the bill that this very provision was incorporated and explained, and at the bottom of the page they will find a note which gives the reason why the amendment was withdrawn. The second note says:

It is the desire of the California commission and the American Federation of Labor to withdraw their hesitating indorsement of this fifth section. On reflection it is felt that the experiment would result disastrously to American labor without compensating benefit to American commerce. Both the commission and the Federation have become convinced that the section should not be made law, even in an amended form.

The point is right here. Everybody interested with this legislation believes that we should allow China to send purchasing agents into this country; that if we would do so it would favor American commerce. This amendment was taken out of the bill because it was believed that enough might come in fraudulently under its provisions to compete with American labor. That is the only reason which can be urged against it. Mr. Dunn, the very efficient agent of the Government in San Francisco, stated to the committee that he had always been in favor of some provision of this kind; that he had consulted with the merchants of San Francisco regarding it, and that he had advised them that one ought to be adopted. He apparently was in full accord with the amendment when it was offered to the bill in committee, but after it had been withdrawn by its author Mr. Dunn also withdrew his approval of it, giving as his reason that given by the others—that too many laborers might be smuggled in through its provisions, and as a consequence the country might be filled with the yellow hordes. I am not using his language.

Mr. MITCHELL. The Senator would not claim, I presume, that the word "merchant" as used in the treaty would include what he designates as a purchasing agent?

Mr. DILLINGHAM. Had I been called upon to construe the treaty, I should have construed it to mean that any person engaged in the mercantile trade in China should have the right to come to this country whether he made arrangements to go into business here or not. But that is not the question the Senator asked me.

Mr. MITCHELL. Not exactly.

Mr. DILLINGHAM. I do not think under the treaty a purchasing agent would be called a merchant, but I think it is a tremendous mistake for us as a nation not to put into either a treaty or a statute law the right of a Chinese merchant to send a purchasing agent here.

Mr. MITCHELL. The point I wish to accentuate is simply this: The Senator does not claim that by our failure to provide for the admission of purchasing agents we are transgressing any provision of the treaty?

Mr. DILLINGHAM. Oh, no. I do claim, however, that as a matter of national policy it is a tremendous mistake if we do not adopt an amendment, either the one I have offered or something equivalent to it; and as an evidence of that fact I wish to call the attention of the Senate to a telegram that was sent by the business men of San Francisco to the President pro tempore of this body, which appeared in yesterday's RECORD. It escaped my attention when it was read in the morning, but it appears that the people of the Pacific coast have already become alarmed upon this subject. This telegram reads as follows:

[Telegram.]

SAN FRANCISCO, CAL., April 8, 1902.

Hon. W. P. FRYE,

President of Senate, Washington, D. C.:

The exclusion of legitimate Chinese merchants that will result from the passing of the exclusion act now being debated in the Senate is an act of gross injustice to the mercantile and merchant interests of the Pacific coast, and of San Francisco in particular, and we hereby respectfully protest against such injustice and request that the bill be so amended as to freely and legitimately admit merchant class of Chinese. Any special committee insisting upon the exclusion of Chinese merchants does not voice the sentiment or desires of those interested in the mercantile welfare of San Francisco and in the development of the commerce of this port.

Claus Spreckels, Thomas Brown, J. W. Helman, W. H. Crocker, Chas. Webb Howard, A. H. Payson, P. N. Lillenthal, J. A. Donohue, Ant. Borel, H. T. Scott, J. D. Grant, Jno. Parrott, G. W. Kline, Levi Strauss, Chas. Holbrook, Warren D. Clark, Percy T. Morgan, Leon Sloss, C. E. Green, C. Deguigne, John F. Merrill, W. C. Ralston, E. W. Hopkins, John L. Howard, A. F. Morrison, W. B. Bowen, H. C. Breedon, Geo. Abbott, S. C. Buckbee, Geo. A. Newhall, Geo. W. McNear, William Babcock, Bernard Faymouville, Geo. A. Pope, Alfred S. Tubbs, F. W. Zeile.

It seems to me, sir, that the laws enacted by Congress which affect trade, commerce, manufactures, and every branch of industry in our country should be broad, that they should be sane, that they should be equitable; laws that will protect capital in all of its rights, laws that will protect labor in all of its rights, laws that will protect manufactures and protect commerce, and give general prosperity to our nation.

It seems to me there is danger lurking in this bill if it is adopted in the form in which it has been presented. All admit that it is within the power of the Chinese Government to terminate the existing treaty on the 8th day of December, 1904, and if the Chinese Government sees fit to terminate the treaty at that time, in what position are we left?

It is not my purpose to enter into a lengthy discussion of the interpretation of these treaties. The Hon. John W. Foster, formerly Secretary of State, was before the committee, and when he was quoted by somebody upon the floor of the Senate recently the statement was made that he was the attorney of the Chinese Government. I do not know whether that be true or not. Admit, for the sake of the argument, that it be true. I do know that General Foster is a man of honor, a man of rare experience, of rare intelligence, and better fitted, perhaps, to speak with authority upon the interpretation of the various compacts between the United States Government and China than any man who appeared before the committee; and I stand here, sir, to say that I believe he has made a statement based upon honor, whether he be right in his conclusions or not. After examining these treaties, he says:

With this exact parallel before us, I need say no more to convince you that when the treaty with China of 1894 is terminated in 1904, Articles V and VI of the treaty of 1868 will again come into full force. They are as follows:

"ARTICLE V. The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free immigration and emigration of their citizens and subjects, respectively, from the one country to the other, for purposes of curiosity, of trade, or as permanent residents. The high contracting parties, therefore, join in reprobating any other than an entirely voluntary emigration for these purposes. They consequently agree to pass laws making it a penal offense for a citizen of the United States or Chinese subjects to take Chinese subjects either to the United States or to any other foreign country, or for a Chinese subject or citizen of the United States to take citizens of the United States to China or to any other foreign country, without their free and voluntary consent, respectively.

"ARTICLE VI. Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities, or exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. And, reciprocally, Chinese subjects visiting or residing in

the United States shall enjoy the same privileges, immunities, and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. But nothing herein contained shall be held to confer naturalization upon citizens of the United States in China, nor upon the subjects of China in the United States."

The provisions of those sections would in no wise satisfy the demands of the public mind in America to-day. What would be the result? The Government of the United States must either negotiate a new treaty with China or she must exercise the power of adopting legislation which will be without authority of treaty stipulations and opposed to the existing treaty obligations. That the Government has that power I do not doubt. But has it the right? Whether the Government would exercise its power to do it I very much doubt; but whether the Government would do that or not, is it policy to adopt such legislation? With a treaty that may be abolished in two years, do we want to adopt legislation that will anger China, that will impress her as being oppressive, simply because we have the power to override treaty stipulations by legislative enactments? Is it good business policy? Ought we to take that risk? To use a homely phrase, will the game pay for the powder?

There are two methods of thought that have been presented to the committee. One of them is that China is always most friendly with those who approach her with shot and with shell, and the thought has been advanced to the committee that Japan's trade has increased because Japan approached China with shot and shell and because she wrenched one of her island possessions from her. I am free to admit that I have no sympathy with an argument of that kind, because I believe it is beneath the dignity and the character of a great government like the Government of the United States to adopt any such method toward a nation as defenseless as China. Not only that, but because it is manifestly wrong in morals for the nation to adopt such policy as that. Might is not synonymous with right.

There came before the committee Mr. John Foord, who represented the American Asiatic Association, the American Association of China, and the American Asiatic Association of Japan, "three organizations comprising a membership which I presume," he says, "conducts three-fourths of all the commerce between the United States and the Far East." His opinion is as follows:

You are aware that the commercial treaties are now being negotiated. You are also aware, of course, that this immigration treaty is not a commercial treaty, as some have hastily assumed. The commercial clauses of the treaty of Tientsin are now under negotiation, and we assume that we shall have the benefit of the most-favored-nation clause. We certainly ought to have it. We certainly ought to get as good terms as England, Germany, or France.

But, gentlemen, is it fair to assume that we can command these if we treat China in the most insulting and humiliating way in which one nation can treat another; if we are going to deal with China as if she were a nation of barbarians and, generally speaking, a weak people whom we could cuff and kick whenever we desired or cared to? Is it fair to assume that a nation which has entered upon a new phase of progress, with a new sense, I think, of rational dignity, a new sense of national responsibility, will always bend its cheek to the smiter? I think if you assume that, you are assuming altogether too much. As business men we think it would be a most dangerous assumption for the future of our trade.

That man speaks upon the authority of knowledge, of residence, of experience.

I beg to call your attention also to certain other testimony that was brought before the committee. I refer first to the testimony of Mr. Ellison A. Smythe, who says:

I represent a delegation of South Carolina manufacturers, consisting of five, who wish to make a few statements to you. South Carolina, perhaps you know, has over 2,000,000 spindles, and ranks second to Massachusetts in its cotton-mill industry and its importance.

I should like also to speak in behalf of the employers of those Southern cotton mills. In South Carolina, according to the figures of the present census, there are over 48,000 persons employed in the cotton mills. Largely the mill interest in the South is dependent upon the export trade, and this is peculiarly so with the trade to China.

This was very acutely felt during the depression incident to the war in China, and which lasted about twelve months, in its effect on the Southern millers. I doubt if there was one Southern mill or at least there were very few Southern mills that during the fiscal year ending last July were able to show any profit at all on their business during the preceding twelve months, and most of them showed very considerable losses, owing to the stagnation in trade, the piling up of their goods, and their inability to sell their products. And the efforts to get into other trades and to make other goods that were used in this country led to very fierce competition with the mills of the country that were built and that are devoted to the home trade.

It will be noted that in a single experience of a short disturbance in their trade with China the manufacturing State of South Carolina was thrown into a condition of despair. Their goods had been manufactured with reference to the foreign trade, and the moment that was interrupted they came into competition with the older mills in this country and immediately the depression was felt by all.

Mr. MITCHELL. Is it not a fact according to the statistics that the increase of cotton imports into China has gone right along—

Mr. DILLINGHAM. In the last six months very largely.

Mr. MITCHELL. Ever since—

Mr. DILLINGHAM. Ever since peace came.

Mr. MITCHELL. Ever since the Chinese-exclusion acts were put in operation there has been a gradual increase of cotton imports into China.

Mr. DILLINGHAM. Ever since the exclusion acts were put into operation there has been a gradual increase of our trade with China. I am glad to admit it, but it has not been anywhere near so great as it ought to be, as I will show before I complete my remarks.

I wish also to refer briefly to the testimony of Mr. Clarence Cary, and I deem this very important. He is a member of the American China Development Company, and he says:

I merely wish to say that I have the honor to represent the American China Development Company, which is a large American company about to build perhaps 550 miles of railway in China, the main line extending from Hankow, on the Yangtze River, to Canton. I have had the fortune to be in China twice, and to stay there a considerable time, nearly a year the second time, and so I have acquired some little knowledge of the officials and their ways of looking at things and of this business.

Again:

The American China Development Company is about to embark upon the expenditure of a very large sum of money for the building of that railroad, for which all the supplies must practically come from the United States. The pine for the sleepers, the timbers, and so on must come from Oregon and the coast; the rails from everywhere convenient in the United States, and, in short, all the material must come from here. It is of very great consequence, therefore, to American merchants, mechanics, etc., that the way of that railway should be unimpeded by any careless or unkindly legislation.

The people whom I represent desire to be recorded here as being in favor of just what Mr. Foord and these other gentlemen have asked. We wish to be regarded as making no opposition whatever to the exclusion of Chinese labor, but as desiring that all existing treaty rights be carried on unimpeded.

Later on he takes up in his testimony the question of students and the importance of having them come to this country, and he says:

I might mention incidentally, as an illustration of the unnecessary restrictions, as I think, upon students and people of that sort, nonlabor people, a statement made to me the other day by Mr. Ferguson, who is a man in charge of a Chinese college at Shanghai. He said that they had found much difficulty about placing their students over here, and their students, please bear in mind, are picked young men, weeded out by a process of selection from the Chinese attendance upon the college, and sent here or elsewhere for final education. They are the young men, some of whom, at least, are to be the people of light and leading in after life in China, who will regulate their relations with foreign countries. This last year a number had just graduated at the college, and Mr. Ferguson thought of sending them to the United States. He wanted to do so, but concluded that the restrictions threatened and impending and existing were such that he would not encounter them. So they sent them to England, where there is, wisely, no restriction upon students. As a consequence, those young men will grow up full of English prejudices and notions, and at all events they will be entirely lacking in the American predilection which they would have otherwise obtained.

Again, Mr. Silas D. Webb, who speaks as a merchant and as a resident of China for many years, says:

But I have no hesitation in saying that if the merchants and students and travelers are treated as though they were the scum of the earth it will be reversed.

I may say—

And here he speaks about the guilds of China—

I may say that all business in China is done under a system of guilds, based very much on the lines of the Federation of Labor in the United States; and as that order follows the Chinese in that respect, I suppose the Chinese ought to regard it as a great compliment that their system is considered as the system to follow.

No person can go into business in China without being a member of the guild; that is, I mean business of any importance. I do not mean that he must be a member to be a huckster, or anything of that kind. The guild is governed in such a way that if the merchants should take a notion that the Americans were insulting them, they would have a meeting quietly and state that they did not want to do any business with Americans or handle American goods, and it would be utterly impossible for any business to be done. I speak of that in a general way, as far as merchants are concerned.

As to students, I wish to say that we have had an object lesson in that line in Japan. Students have been sent to different countries to be educated, and it has been an almost invariable rule that it is impossible for Americans to do business in those places in Japan where students have been educated either in Germany, England, or France.

In passing, I should say that no one of these gentlemen appearing before the committee expressed any objection to the exclusion policy of the United States, so far as it applies to Chinese laborers, but every one of them came here to protest against the adoption of any stringent provisions which should operate to keep from coming to our shores those of the privileged classes.

In passing also, I may say that you will understand with a moment's thought how important it is to us that the young of China, especially the picked young men coming from the Chinese colleges, who hereafter, in the language of one of these witnesses, are to be the light and leaders of the Chinese people, should be educated in our midst and imbibe our principles, and so be able to carry back with them to China those thoughts and those purposes that will operate for our national good.

Mr. President, we are becoming a great manufacturing nation. Prosperity reigns throughout our borders. Capital is employed. Labor meets a ready demand and good reward. Our home markets have been fully supplied by the manufacturers of this country, but as our mills have increased in number and in their output we have more than supplied these markets, and the whole nation to-day is looking out into the world to see where markets for American products can be found.

The development in China in the last three years has been most remarkable. China to-day is the great unexplored commercial field into which America can enter with her goods. Railroads are in progress of construction. Grants have been made for further railroads. Telegraphs connect China with her provinces and with the world. Steamboats are plying upon all the Chinese rivers as far as they are navigable, and travelers from America and the merchants of America freely enter the Empire both for pleasure and for gain.

I find in a Government publication, in a report upon the trade of China for 1896, that Mr. Grosvenor, of the British legation at Peking, warns his countrymen as follows:

Englishmen should watch carefully the development of events, remembering that the great rewards of enterprise will be to those who are first in the field.

I commend that advice to the statesmen of America in shaping their legislation so that the American manufactures and American commerce shall have the opportunity not inferior to that of other nations. We should have a first entrance into that great Empire if we would obtain and hold our share of its trade.

We have a good illustration of the importance of prompt action in the development of Japan. The railroads in operation there have been built by Englishmen and by Belgians. The result is that the materials for the construction of those railroads are brought from the country from which the builders came. They were equipped from the countries from which the builders came. The result has been that all of the supplies necessary for operating those railroads, from locomotives down to car seats, have been to a very large extent brought from England and from Belgium.

Mr. Cary, whom I have quoted, comes here pleading with this body. He is about to enter upon a great enterprise—the building of that great railroad in China. He asks that there shall be no legislation that shall be injurious to his interests. Suppose that the road is constructed. He comes to America for his locomotives and to buy his steel rails and to secure all of the supplies that enter into the equipment of a road almost a thousand miles in length, and just so long as the road runs and remains under American management naturally all its supplies will be sought in this country. Other nations are already in the field. They have taken advantage of its market. They have built up their trade.

Mr. John Barrett, who has made a study of the Chinese market, says that the present trade of China is about two thousand million dollars annually. Our share of that trade is only one-tenth, and yet Mr. Barrett, after a patient examination, says that we ought by right to have one-third of the whole. Suppose, he says, that China imports one thousand million dollars' worth of goods annually, and America should control one-third of that trade, it would give us a volume of exports amounting to \$300,000,000 annually against the \$12,000,000 that go into the Chinese ports at this time and another \$12,000,000 probably that go into the port of Hongkong. It would increase our trade with the Chinese ports substantially 25 times in amount. Is not this an opportunity which we should consider when we are adopting legislation that so fully affects our relations with China?

The Senator from Oregon asked me the question a few moments ago if it was not true that our trade with China has increased since the exclusion laws were adopted. I answered frankly that it has. In 1880 we had less than a million dollars' worth of trade with China. In 1890 it had increased to \$2,700,000. But we have not increased in ratio with the increase of other nations, and especially that of Great Britain. In 1880 Great Britain in round numbers had a trade with China of \$54,000,000, and in 1890 of \$81,000,000. In other words, at the end of ten years she had increased her annual trade \$27,000,000. The United States in the same ten years had increased her trade only \$1,800,000.

China the last ten years has another comparison. In 1890 Great Britain's trade with China was \$81,000,000. In 1900 it had reached the enormous amount of \$120,000,000. In other words, in those ten years Great Britain had increased her annual trade \$39,000,000. In the same ten years the United States had increased her annual trade in the pitiful amount of \$9,000,000.

Now, that tells the story. The United States of America is great to-day in her manufacturing interests and her commercial power and is fully prepared to compete with Great Britain in this great market. She ought to do it. She ought to have the opportunity to do it.

The sum and substance of this whole question, Mr. President, is that we should pass just and equitable laws for the protection of all classes. I would make the laws just as perfect for the protection of the wage-earner as they can be made. I would make them perfect for the protection of the manufacturer and the merchant. I would have the laws perfect for the nation as a nation.

To this end I suggest that we call upon our State Department

to make every foreign representative of this Government, wherever he may be situated, but particularly in China, alive to a sense of his duty. Let us make the law so perfect that every one of our consular agents will make a thorough examination of every Chinaman who receives a certificate from his Government, so that any person may feel when he steps upon the deck of the vessel with his face toward America that when he reaches this continent he will be received gladly and by a friendly nation. To this end let us get rid of the burdensome features of this bill and, having done that, make it just as strong and just as perfect for the protection of American labor against Chinese labor as human ingenuity can do.

Mr. STEWART. Mr. President, the question of Chinese immigration and their residence in this country is more than fifty years old. Soon after the discovery of gold in California the Six Companies of Chinese were organized. They were merchant companies, and they did business in this country. They imported Chinese as their principal business. The Chinese coolies were brought here under contracts in vast numbers. Those contracts provided for years of labor, and also stipulated that the Chinese at the end of that term should be returned to their native country, whether alive or dead. Every ship that went from the port of San Francisco to China took more or less dead Chinamen home. For the performance of these contracts the coolie was required to deliver his family as a hostage. They would not take him unless he could give some person as a hostage, to be substituted as a coolie in that country if he did not comply with his contract to labor in this country.

The Chinese came and first followed the California miners by gleaning in the sand and following up the worked-out ravines. They gathered large volumes of gold dust by their economical mode of mining.

In 1851 or 1852—I do not remember which—the legislature of California passed a very oppressive foreign-miners' tax, as it was called, taxing a very large sum annually every foreigner who mined. The tax was collected from the Chinese, and from no one else. It was collected in a very cruel manner. The Chinese had no friends. The collectors were boys. They went with their pistols and their bulldogs, and beat and maltreated the Chinese. I felt very much outraged at the inhumanity that was practiced against the Chinese.

In November, 1852, I was appointed district attorney of Nevada County, Cal., a very large and populous mining county. I attempted to stop the cruelty in that county and had some of the perpetrators fined before justices of the peace; but I could do nothing before a jury.

At the time I was appointed district attorney a murder of a Chinaman was committed by one George Hall. There were no witnesses but the Chinese present. We were at a loss how to administer oaths to the Chinese and whether any oaths would bind them. I called a meeting of a board of supervisors and requested them to come and consider what we would do in this murder case. It was suggested that an appropriation be made by the county of \$5,000 to get experts to interpret and inform us how to administer oaths.

I sent to San Francisco and employed Rev. Dr. Spear, an Episcopal minister, who had been in China over twenty years. He was a man of high character, from Philadelphia, and was devoted to the Chinese. He had been all over the Chinese Empire, knew all their secrets, and felt a great interest in them.

I had the Chinamen put in different rooms, because they always told the same story. When they came before the jury, each one told the same story. There was no doubt that they told the truth substantially, but inasmuch as it is impossible for six men to see any transaction in the same light it was evident that they were manufacturing details and making them correspond. I asked Dr. Spear, as he was varying the language a little, if all their testimony was not substantially the same. He said it was.

There was no exception taken to the testimony. Hall was convicted. After his conviction I asked Dr. Spear to explain to me how it was that all those Chinamen told the same story, and whether any oath was binding upon them. With some reluctance he told me that he had been permitted to travel throughout China; that he had visited many of their courts of justice, or injustice; that they did not rely upon a Chinaman's word ordinarily, and that they did not rely upon his oath in the administration of justice; but they had instruments of torture at every one of the courts of justice which the outside world was not allowed to visit, and they would apply those to the witness before asking him any questions.

If he did not testify to suit them, they would torture him in a greater or less degree; and all the people were terrified with regard to the courts and with regard to the administration of justice, so that upon the commission of an offense they would meet together instantly and agree upon a story and all stand by the same story, and no torture could make them differ from it, and

that exempted the majority from the punishment which would be otherwise inflicted.

The case of Hall was appealed to the supreme court of the State of California. I went there and supposed there would be no difficulty in having the judgment affirmed, inasmuch as there were no exceptions taken, and I made but a slight effort, stating the fact, as I would in any case, that, no exceptions having been taken, the judgment would have to be affirmed. Gen. John R. McConnell was on the other side. He made an elaborate argument to show that the Chinese were prohibited from testifying against white men under the statute that prohibited an Indian from testifying against a white man. The supreme court of California decided the case according to his argument. The syllabus of the decision of the court is as follows:

The people, respondent, v. George W. Hall, appellant.

Witness—Person incompetent.—Section 394 of the civil-practice act provides:

"No Indian or negro shall be allowed to testify as a witness in any action in which a white person is a party."

Item.—Section 14 of the criminal act provides:

"No black, or mulatto person, or Indian shall be allowed to give evidence in favor of or against a white man."

Held, that the words Indian, negro, black, and white are generic terms designating race; that, therefore, Chinese and all other peoples not white are included in the prohibition from being witnesses against whites. (See California Reports (Hepburn), vol. 4, p. 399.)

In his opinion Judge Murray goes extensively into the subject of the identity of the Indians and Chinese, and satisfies himself that they are of the same origin and that the statute applies to both alike.

Then the Chinaman was in California without a friend. He could not testify in court and he could not defend himself. I did not like that situation, and I pledged myself, whenever I could do so, to relieve it; so when an enforcement bill was pending in the Senate I secured an amendment, the latter part of which was drawn by me, the first part having been considered by the committee on the Judiciary, and put in. It is section 16 of "An act to enforce the rights of citizens of the United States to vote in the several States of this Union, and for other purposes," which is found in volume 16, page 144, of the Statutes at Large, and is as follows:

SEC. 16. And be it further enacted, That all persons within the jurisdiction of the United States shall have the same right in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding.

This applies to Chinamen.

No tax or charge shall be imposed or enforced by any State upon any person immigrating thereto from a foreign country which is not equally imposed and enforced upon every person immigrating to such State from any other foreign country; and any law of any State in conflict with this provision is hereby declared null and void.

That did away with this odious tax, which was not so odious as the manner of its collection. This was in May, 1870. It was known at an early day that the Chinese were brought here under labor contracts. The laboring men in California in their first protest were against those contracts, as they are against labor contracts now. They were odious contracts, and there was great feeling against them.

In 1866 Mr. Burlingame went to China and created quite a sensation by his advocacy of more friendly relations with that Empire. He came here as a Chinese ambassador in 1868 with a large delegation of Chinese. The Senate repaired to the hall of the House of Representatives, where both Houses assembled to receive the delegation and to do them honor. There were ceremonies and dinners in Washington, in New York, and in San Francisco to do honor to those Chinese magnates.

A treaty was negotiated for free immigration of Chinese to this country.

Mr. HOAR. What treaty was that?

Mr. STEWART. The treaty of 1868.

Mr. HOAR. The Burlingame treaty?

Mr. STEWART. Yes; the Burlingame treaty.

The immigration rapidly increased. On the 2d of July, 1870, the Senate had under consideration a House bill "to amend the naturalization laws and to punish crimes against the same." An agreement having been entered into to vote on the bill and its amendments at 4 o'clock p. m. on that day, about ten minutes before the vote was taken Senator Sumner, of Massachusetts, offered the following amendment to the amendment proposed by the Judiciary Committee to the House bill:

And be it further enacted, That all acts of Congress relating to naturalization be, and the same are hereby, amended by striking out the word "white" wherever it occurs, so that in naturalization there shall be no distinction of race or color.

I refused to be bound by the agreement if that amendment were voted on to the bill. I contended that it was another subject, and that we had not agreed to vote upon it. In fact, it had

been reported by the Judiciary Committee as a separate bill, and if the two bills were put together, I contended I was not bound by the agreement. My statement created considerable excitement. My friends advised me not to break an agreement of that kind. I told them that they did not understand the magnitude of the question which was presented. There was a struggle for some time over the question whether I should speak, and I yielded, but protested against the bringing in of such a proposition at such a time. Finally a vote was taken on it, and it was beaten by a few votes.

Mr. HOAR. Without debate, or did the debate go on?

Mr. STEWART. There was some irregular debate, but the Congressional Globe shows that there was no regular debate. I protested against the proposed course of procedure, but there was no regular discussion. A vote was taken, and the proposition was rejected as an amendment to the Senate amendment to the House bill. The Senate amendment was offered as a substitute, and was voted down. Mr. Conkling then offered a section of the Senate amendment to be added to the House bill. Then Mr. Sumner again offered his proposition as an amendment to the House bill. The proceedings were as follows:

The PRESIDENT pro tempore. The Senator from Massachusetts moves an amendment, which will be read.

The Chief Clerk read the proposed amendment, as follows:

"And be it further enacted, That all acts of Congress relating to naturalization, be, and the same are hereby, amended by striking out the word 'white' wherever it occurs; so that in naturalization there shall be no distinction of race or color."

Mr. SUMNER. Now, I have to say that that is worth all the rest of the bill put together. That is a section that is pure gold. It will do more for the character, and honor, and good name of this Republic than all the rest of the bill. I am for the rest of the bill, but this is better than all the rest. Now I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STEWART. That is a proposition to extend naturalization, not to those who desire to become citizens, but to those who are being imported as slaves. I propose first to abolish slavery. I propose to liberate these persons before they shall be naturalized by their masters for the purpose of carrying elections.

Mr. EDMUNDS. May I appeal to my friend? I appeal to him to let us vote, because if this amendment is adopted I shall certainly absolve him from any agreement, and he may then talk as long as he likes; but, inasmuch as I vote against this amendment solely upon the ground that in honor I can not go for it here when his mouth and the mouths of others are closed, I hope he will let us vote. If we are to have a full debate I shall vote for the amendment.

The vote was taken after that speech, and the provision was incorporated in the bill by a vote of 27 to 22. The yeas and nays were as follows:

Yeas—Messrs. Anthony, Carpenter, Conkling, Fenton, Fowler, Gilbert, Hamlin, Harris, Howe, Kellogg, Lewis, McDonald, Morrill of Vermont, Patterson, Pomeroy, Pratt, Ramsey, Rice, Robertson, Ross, Sawyer, Schurz, Scott, Sprague, Sumner, Thayer, and Trumbull.

Nays—Messrs. Bayard, Boreman, Casserly, Corbett, Cragin, Davis, Drake, Edmunds, Harlan, Howell, Johnston, McCreary, Morton, Stewart, Stockton, Thurman, Tipton, Vickers, Warner, Willey, Williams, and Wilson.

The debate continued very actively until 7 o'clock on Saturday, the 2d of July, when the Senate adjourned, of course being unable to make any arrangement to adjourn over the 4th of July. So on Monday, the 4th of July, the question was again debated with great earnestness during all of that day. As a specimen of the character of that debate, I will insert some extracts in my speech, but I wish now to call attention to the way the matter was treated by the then Senator from Massachusetts, Mr. Sumner, and myself. In the course of his speech Mr. Sumner said:

Why introduce the topic into debate? Is there a Senator on this floor who will say that from anything done or said by Chinese at this moment there is any reason to fear peril to this Republic? Sir, the greatest peril to this Republic is from disloyalty to its great ideas. Only in this way can peril come. Let us surrender ourselves freely and fearlessly to the principles originally declared. Such is the way of safety. How grand, how beautiful, how sublime is that road to travel! How mean, how dark, how muddy is that other road which has found counselors to-day! Listening to the speech of the Senator from Nevada [Mr. STEWART] more than once, nay, thrice over denying the Declaration of Independence, I was reminded of an incident in the Gospels. I have the book from the desk of the Secretary and now read the pertinent passage; it is in Matthew, chapter xxvi:

"Now Peter sat without in the palace: and a damsel came unto him, saying, Thou also wast with Jesus of Galilee."

"But he denied before them all, saying, I know not what thou sayest."

"And when he was gone out into the porch, another maid saw him, and said unto them that were there, This fellow was also with Jesus of Nazareth."

"And again he denied with an oath, I do not know the man."

"And after a while came unto him they that stood by, and said to Peter, Surely thou also art one of them; for thy speech bewrayeth thee."

"Then began he to curse and to swear, saying, I know not the man. And immediately the cock crew."

"And Peter remembered the word of Jesus, which said unto him, Before the cock crow, thou shalt deny me thrice. And he went out, and wept bitterly."

Sir, thrice has a Senator on this floor denied these great principles of the Declaration of Independence. The time may come when he will weep bitterly.

Mr. WILLIAMS. Mr. President—

Mr. STEWART. Will the Senator give way to me for one moment? I want to reply to that.

Mr. WILLIAMS. Very well.

Mr. STEWART. Because I am opposed to pagan imperialists, Chinese who do not understand the obligation of a Christian oath, being incorporated in the body politic, the Senator from Massachusetts reads from a Christian book, from the Bible, to prove that I have denied my faith. He, desiring to place the destinies of the country, as he certainly would those of the Pacific

coast, in the hands of pagan imperialists, will say that my opposition to that policy is denying the faith.

When he wants to place the destinies of the country in their hands, when he proposes to trust to their oaths as to whether they renounce their old allegiance or not when they can not take a Christian oath, he has denied the principles which he professes; he has denied the Declaration of Independence when he would place the guardianship of our institutions in such hands and under the control of such mercenary wretches as deal in coolies who swear to labor for them. That is a denial of the faith. He that would trust our institutions to such hands has verily denied the faith.

When I seek to preserve our institutions in the hands of a Christian people; when I desire to retain those institutions in the hands of those who understand the obligations of an oath when they renounce their allegiance to foreign potentates and powers and join their lot with us; when I refuse to let Koopmanschap and the Chinese merchants to import coolies to be naturalized at their dictation to participate in preserving our free institutions, I have the Christian Bible read to me, and I am compared to him who would deny the faith! I say that any Christian gentleman, any Christian man who will trust our institutions to the hands of pagans has denied the faith of his fathers.

Subsequently I said:

Mr. STEWART. Now, before the vote is taken, I wish to state that if that question, which is another question altogether, is introduced now to be voted upon, without giving a word of explanation, I shall not be bound by any agreement, because this is another proposition; it does not relate to the subject of the original bill. It is a separate proposition. If that is to be put on this bill, then we are not bound by any arrangement, because it is necessary that the Senate shall know what they are voting for and how they are voting before this is voted upon. I desire to be heard, and must be heard, on a proposition of that character, which we of the Pacific coast have more knowledge of than others here. I shall not be bound by any agreement if it is to be acted upon now and put upon this bill. I shall desire to be heard upon it before it is voted on.

The PRESIDENT pro tempore. The Chair has no power to enforce the agreement.

Mr. TRUMBULL. I hope the Senator from Nevada will set no such example as that by insisting that he will not be bound by an understanding. Everybody knows what this means.

Mr. THURMAN. It has been printed on our tables for months.

Mr. STEWART. If the Senator from Massachusetts offers it now, does he not see the effect?

Mr. SUMNER. The proposition has been here four years.

Mr. TRUMBULL. The Senator from Nevada can not afford to set this example.

Mr. STEWART. But this is bringing in another bill. I want to submit this proposition to the Senate: Here are two distinct bills pending, involving altogether different principles; does an agreement to vote a certain time upon one bill bind the Senate to take up another bill and put it upon that bill without a chance to say a word? I undertake to say that it is not germane, and upon that point I have a right to be heard. The proposition was that we should vote on a bill to regulate naturalization as to persons now entitled to receive it.

Mr. PATTERSON. I should like to ask my friend a question. He says that this in principle is different; will he state how?

Mr. STEWART. I say it is not germane. There are two different propositions. The proposition that we agreed to vote upon was simply a proposition to regulate naturalization among the persons now entitled to naturalization. The proposition introduced by the Senator from Massachusetts is to extend naturalization to a different class involving a different subject, and it is well known here that it will be discussed, and discussed thoroughly. It is a separate bill, one that has been kept separate by the Judiciary Committee, and we are not bound by the agreement when that is sought to be attached—

Mr. WILSON. Let us vote.

Mr. STEWART. Do not put it on this bill.

Mr. WILSON. Let us vote.

Mr. WILLIAMS (to Mr. WILSON). This is a matter that you will find of more consequence than you imagine. I want the people of Massachusetts to understand that Massachusetts Senators are here trying to—

Mr. WILSON. I am not going to vote for it.

Mr. DAVIS. I move to lay the whole bill on the table.

Mr. THURMAN. I call for the yeas and nays on that motion.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FOWLER. I am paired with the Senator from North Carolina [Mr. Abbott]. If he were here he would vote "nay" on this proposition, and I should vote "yea."

Mr. VICKERS. My colleague [Mr. Hamilton] and Mr. Osborn have paired off on this question. The latter would vote against and the former for this motion.

The result was announced—yeas 17, nays 30; as follows:

Yeas—Messrs. Bayard, Casserly, Corbett, Davis, Howe, Howell, Johnston, McCreery, McDonald, Morton, Robertson, Ross, Sprague, Stockton, Thurman, Vickers, and Williams—17.

Nays—Messrs. Anthony, Boreman, Carpenter, Chandler, Conkling, Cragin, Drake, Edmunds, Fenton, Gilbert, Hamlin, Harlan, Harris, Kellogg, Lewis, Morrill of Vermont, Patterson, Pomeroy, Ramsey, Revels, Rice, Schurz, Scott, Stewart, Sumner, Thayer, Tipton, Trumbull, Warner, and Wilson—30.

Absent—Messrs. Abbott, Ames, Brownlow, Buckingham, Cameron, Cattell, Cole, Ferry, Flanagan, Fowler, Hamilton of Maryland, Hamilton of Texas, Howard, Morrill of Maine, Norton, Nye, Osborn, Pool, Pratt, Saulsbury, Sawyer, Sherman, Spencer, Willey, and Yates—25.

So the motion to lay on the table was not agreed to.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Oregon [Mr. Williams] to the amendment of the Senator from Massachusetts [Mr. Sumner].

Mr. MORTON. One word. This amendment involves the whole Chinese problem. Are you prepared to settle it to-night?

Mr. STEWART. Without discussion.

Mr. MORTON. And without discussion? The country has just awakened to the question, and to the enormous magnitude of the question, involving a possible immigration of many millions, involving another civilization, involving labor problems that no intellect can solve without study and without time. Are you now prepared to settle the Chinese problem, thus in advance inviting that immigration? I am not prepared to do it. (Congressional Globe, part 6, second session Forty-first Congress, p. 5122.)

That was the style of the debate that went on here.

Mr. HOAR. Who came out ahead?

Mr. STEWART. I will tell you who came out ahead. We went on with this debate until about 1 or 2 o'clock on the morning of the 5th. By that time I was largely reinforced. We then took a vote, and the amendment of Mr. Sumner, which had been theretofore adopted, was beaten by 14 to 30.

The vote was as follows:

Yeas—Messrs. Fenton, Fowler, Harris, Howe, McDonald, Morrill of Vermont, Pomeroy, Rice, Robertson, Ross, Spencer, Sprague, Sumner, and Trumbull—14.

Nays—Messrs. Bayard, Boreman, Chandler, Conkling, Corbett, Cragin, Davis, Drake, Edmunds, Gilbert, Hamilton of Maryland, Hamlin, Harlan, McCreery, Morton, Nye, Osborn, Ramsey, Saulsbury, Scott, Stewart, Stockton, Thayer, Thurman, Tipton, Vickers, Warner, Willey, Williams, and Wilson—30.

Before the debate the amendment had carried by 27 yeas to 22 nays; but after the debate it was beaten by 14 to 30.

If we had failed in that contest, of course there would have been a great many Chinese citizens, and there would have been no exclusion bills pending now. That would have ended the matter; but knowing the Chinese as I did, and knowing very well that they would be brought here by the millions under the control of these Chinese merchants, I resisted it. Koopmanschap, the great Chinese importer, at that time proposed to take the Chinamen to the South to labor there. They were brought here by the thousand, and most of them were brought under labor contracts.

If no Chinaman had ever come here except those who had come voluntarily and of their own accord, we should never have had any large Chinese immigration. The coolies can not come; they have no money with which to come; the great mass of them are too poor to come, and the laboring people of China could not come unless they were brought here by labor masters, and most of them have been brought here by labor masters. A few who are here have saved up a little by some arrangement with the Chinese merchants who brought them here, and they can go back to China and return, but I do not suppose that 20,000 Chinese have come to this country with their own money and of their own accord.

The contracts made with them are most horrible, and the mode of securing them is most disgusting. They have to pledge their families as hostages, and if they can not get their families to do that, they get some friend to act as a hostage, to be a peon and slave, if those who come to this country fail to comply with their contracts. I have examined those contracts with care, and I spoke of them in the debate to which I have referred at considerable length. I have had them read and exposed them to the Senate a great many times. As I have said, they were horrible contracts, under which the Chinamen were brought here, and if the door were open to their admission that is the way they would be brought here again.

I have assisted in the passage of the various laws relating to the Chinese in 1878, in 1888, and in 1890. I have assisted in the passage of all the laws which have been enacted—the Geary Act and the Scott Act; and those acts have been effective. There has been no inflow of Chinese worth mentioning during the existence of those acts.

There is now, as there was not then, a universal conviction that Chinese laborers are not desirable and must not come here; but the question is now understood in all parts of the country. The Chinamen who have remained in the country have scattered into different portions of it. Many undoubtedly have got into this country improperly; and the object now is to keep more of them from coming here.

We want to preserve our labor against the competition of cooly labor. American labor and Anglo-Saxon labor can not compete with the labor of Chinamen. It never has and never can, for the Chinese can live on less; they can work more hours, and they have economies that look to us as the essence of cruelty, and they endure them; but our people can not do so, and we must not bring them down to the level of the Chinese.

It has now become the settled judgment of the American people that the Chinese must be kept out. Let us do that by effective laws, which will keep them out. Suppose we should reenact the Geary law, which was predicated upon the treaty; suppose we should reenact the Scott law, which was to go into effect at the ratification of a treaty, but which treaty was never ratified; suppose we reenact those laws in positive terms.

The Department would continue the regulations for their enforcement and make additional ones for that purpose when necessary, and we should then have the law expressed in a few words.

Mr. FAIRBANKS. Will the Senator allow me to interrupt him?

Mr. STEWART. Certainly.

Mr. FAIRBANKS. I do not know that I fully caught what the honorable Senator said a moment ago; but, if I heard him aright, it was to the effect that the adoption of a brief law extending existing laws would have the same effect as the proposed law. Did I understand the Senator correctly?

Mr. STEWART. I said that a brief law would have an equally good effect.

Mr. FAIRBANKS. Then, such a law would be as far-reaching as the bill which is now pending, if I understand the Senator correctly?

Mr. STEWART. No; I did not say that.

Mr. FAIRBANKS. I put it in the interrogative.

Mr. STEWART. No; I did not say that. I said the regulations made for the enforcement of existing law could continue until they were changed by competent authority.

Mr. FAIRBANKS. Then, by those regulations, you would have in effect the same restrictive measures that you have in the pending bill, the difference being that the Treasury Department might modify those regulations, while it could not modify the terms of this law.

Mr. STEWART. The Treasury Department always has authority to alter its own regulations if it is found that they are inefficient or working unjustly.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER (Mr. HANSBROUGH in the chair). Does the Senator from Nevada yield to the Senator from Colorado?

Mr. STEWART. Certainly.

Mr. PATTERSON. The bill is as voluminous as it is because there are incorporated in it the rules and regulations which have been found to be reasonable and effective. The suggestion made by the Senator from Nevada is met by the proposition that it is not desired that there should be flexibility along a line that would result in the Secretary of the Treasury, who might happen to be favorably inclined to the admission of Chinese, modifying it so as to break down the barriers. The Senator from Nevada will see, when Senators speak about flexibility, that it means power to change, to modify, to suspend, or even to make more severe.

These rules and regulations are those which have been in force and have been found to be effective and are believed by the officers of the Treasury Department to be in accord with the real spirit of the treaties and statutes, and therefore they do not desire to leave them in a position where one who does not live upon the Pacific coast and who has not the same reason for opposition to the Chinese may break down the barriers.

Mr. STEWART. I find that the anxiety to exclude Chinese in the East is now quite as strong as it is in the West.

Sentiment against Chinese immigration is too strong for any Government officer to disregard, and the regulations will be as strict and comprehensive as the people of the United States desire.

While importers of Chinese coolies were free to bring all the labor they desired to this country, the baneful effects of Chinese on the Pacific coast were acknowledged by all. Labor was demoralized. They invaded every point—the household, the kitchen, the factory, on the farm, and everywhere else—with rates of wages with which white men could not compete.

Our Eastern friends could not realize what competition with Asiatic labor meant, but now they understand the question and are as much opposed to the coming of Chinese in Pennsylvania as they are in California. China herself recognized, in the Burlingame treaty, the evil of the importation of Chinese to this country and agreed in that treaty to pass laws to prevent the cooly traffic. But she was unable to accomplish what she promised in that treaty. She undertook to prevent Chinese coming under contract. All her efforts were ineffective in that regard.

After the United States refused naturalization to Chinese, in 1870, the traffic in coolies still continued. Finally, in 1880, Congress was compelled to act to prevent the importation of Chinese, because China was unable to keep them at home. The few that are now here illustrate how difficult it would be for American laborers to live and prosper if the doors were opened to Chinese immigration.

I have no doubt the present bill will be put in such shape as to be agreeable to all. I think that it would be better to reenact the Geary and the Scott laws, make them operative wherever the jurisdiction of the United States extends, and then trust to their enforcement under regulations made by the Department. But when the bill under consideration is so modified as to meet the views of the Senate I shall give it my support. I have no fear that a law will not be passed within a few days which will exclude Chinese. The sentiment of the whole country demands it, the safety of labor demands it, and Congress will comply with such demands. The situation is not now as it was in 1870, when the struggle lasted over the 4th of July to prevent the extension of the right of naturalization to the millions of Asiatic coolies who were being imported into the country. The sentiment is universal, or nearly so, that Chinese laborers shall not be permitted to come here. The earnest discussion of this bill shows too plainly the determination of the people which is behind it.

Mr. HOAR. Mr. President, I do not mean to debate this bill, because I have had other occupations and engagements of a public character, both in the Senate and elsewhere, since it has been pending, which have prevented me from giving the attention to its detail that its importance demands and certainly would require if I were to undertake to say anything which would be of value to the Senate. So I wish merely to state the general principle which will govern my vote.

I am not indifferent and never have been and never shall be indifferent to anything which threatens the lofty quality of American citizenship; and I regard this question, as do the Senator from Nevada [Mr. STEWART] and other Senators who have spoken, while other considerations affect it also, as mainly a question of the quality of American citizenship. That is what warrants all our immigration laws, whether directed to immigration from Europe or immigration from Asia. It was expected by our forefathers, who laid down and declared the great doctrines which they supposed would govern the life of this country, and especially the doctrine of the absolute equality of all human beings in political rights, that the process of becoming American citizens, and therefore exercising a share jointly with others in the regal function—a function loftier than that of any emperor or king, as they regarded it—of governing this country, would be a very serious thing.

In the time of Washington and his immediate successors naturalizations were very rare, and when they took place the judge of the court of the United States in my part of the country, and I suppose elsewhere, used to address the new citizen with a little speech, pointing out to him the great advantage and dignity to which he had acceded, and welcoming him into the lofty brotherhood of American citizenship, and that was preceded by an inquiry, which meant business, into the character and quality of the new citizen.

There was no perfunctory admission. There was no taking a thousand oaths in a thousand seconds. There was no band of political agents hurrying into citizenship men for the purposes of any party. There was no such thing as the same two witnesses swearing to the same facts about a hundred men at once, and there was no such thing, as happened in New York not many years ago, of issuing naturalization papers in blank by the court, so that the inquiry showed that the judge who held that court must, if the papers had been genuine, have naturalized 60,000 persons in a single day.

That is the kind of administration which the men who made and believed in the doctrines of the Declaration of Independence, and who passed our early naturalization laws meant to have practiced in order to insure the dignity and purity of American citizenship.

Now, I was in the other House, and later in this Chamber, when this great change of public opinion took place. When I came to Congress the Burlingame treaty had just been adopted, and we were making our boast that here was a nation, to use Mr. Lowell's famous lines—

Whose free latchstring was never drawn in  
Against the poorest child of Adam's kin.

And the whole American people believed that doctrine. California herself believed it quite as religiously as did Massachusetts.

The great evil came up which the Senator from Nevada has so well stated and without any exaggeration, and the evil in regard to some classes of European immigration which my colleague had occasion to state, in advocating a bill under consideration a year or two ago, with equal force and precision of statement, because, Mr. President, these things are not matters of race. The Senator from California [Mr. PERKINS], who is now out of his seat, described the condition of things in the Chinese quarter in San Francisco. It happened that when this debate came up some time ago I asked a very eminent citizen of that coast, one of the champions of this class of legislation, if he had not gone through the like place in London at a recent visit, as the newspapers said, and he said he had; and I asked him if everything which he described of the vile places in San Francisco was not paralleled and surpassed by similar infamy and squalor and human degradation in places in London, where he found nobody but men of the English race. He admitted that that was true. It is not race. It is degradation that we ought to strike at and keep out if we can.

Mr. President, the objection to the whole theory on which our Chinese legislation proceeds is that you strike at labor, the dignity and glory of humanity, because it is labor, and you strike at men not because of any individual degradation, but solely because of race. You say that the Chinese laborer shall be kept out though he possesses every virtue under heaven, and the Syrian laborer or the laborer from any other Asiatic country shall come in though he possesses every vice under heaven, and then you say that a man shall stay out if he is a laborer, although he may come in if he is a scholar or a gentleman or an artist. So this great Republic puts itself on record that men differ essentially in the matter of human rights because of race and not because of the quality of the individual, and that the laborer is a degraded being in comparison with the scholar or the gentleman or the idler. Now, that is a stab at the essential principle on which this Republic rests, and for one I will not mark the close of my life, as my eyes are about to close, by joining in such an act in consequence of any alleged or fancied necessity.

When this subject first came up, and when the uneasiness under

the Burlingame treaty was just beginning to show itself on the Pacific coast and had not reached the rest of the country, I sought out Mr. Sargent, then an eminent member of the House of Representatives from California (that was, I suppose, about 1871 or 1872; I can not give the date), who was afterwards an eminent member of this body and, as is well known, minister to Germany, and called his attention to it.

I told him I would gladly unite in measures which should be as effective and stringent as human wit could contrive to keep out everything of the evil of which his people were beginning to complain; that I would agree to station at one port or two ports or five ports in Asia public agents—public agents who should examine man by man, witness by witness—agents who could not be imposed upon and who could not be flattered and who could not be bribed, and provide that no immigrant should come to this country from China except such as came from that limited number of ports and such as had passed this scrutiny of our public agencies. If the time for such an examination would not allow examining thoroughly and faithfully every man who wanted to come, that was the misfortune of the situation, and it was necessary for the protection and security and quality of American citizenship. But it was no violation of our principles.

I was willing, then, that no man should come as an immigrant who could not read or write the English language, if that were desirable; that no man should come as an immigrant who did not bring his wife with him, if he were married, and his children with him, if he were a father; that no man should come as an immigrant whose moral qualities and capacity to earn his living in some respectable employment were not ascertained; that no man should come as an immigrant who did not mean to stay here and die here and be buried here and renounce all his allegiance to every other country whatever, and that no man should come as an immigrant who was not permeated with the spirit of American citizenship.

But some of our friends on the Pacific coast did not care much about ideals, though I have no doubt they were as thoroughly attached in principle to the doctrines on which this Republic was founded as I was, but in their anxiety and alarm they could not wait patiently to get at this evil.

So, in the first place, they broke a treaty, and in the next place they contradicted the doctrines which the fathers had declared; and although I suppose my friend the Senator from Nevada, as I do, considers Mr. Sumner's impassioned denunciation of him as rather a jest—I do not mean Mr. Sumner meant it as a jest, for he never jests, but my friend, I have no doubt, took it as a jest, just as I did—

Mr. STEWART. It did not hurt my feelings any.

Mr. HOAR. I do not suppose it did the least in the world. It did not hurt his feelings or stop the growth of his hair.

Mr. STEWART. That is true.

Mr. HOAR. But still, for all that, the thing happened, and so it is that we are going on from step to step. We could not wash out this spot with water, and so we took vinegar; and we could not wash it out with vinegar, and so we tried a solution of cayenne pepper, and now our friends on the Pacific coast are asking us for a preparation of vitriol, which they hope will work.

For one, Mr. President, I am not going into the details of this measure. I will not bow the knee to Baal—either in dealing with the Philippine Islands or with the Chinese. I will not vote that labor as labor shall not stand on an equality with other conditions of men. I will not vote that it is a falsehood that any nation has the right to establish its own government after its own fashion. I will not worship this god that you have set up. My opposition to this policy has nothing to do with the details of the measure.

Mr. TELLER. Mr. President, I desire to submit a very few remarks upon the pending bill. I do not care about doing so to-night.

Mr. STEWART. It is too late to speak to-night.

Mr. PETTUS. If the Senator will allow me, I will move—

Mr. TELLER. I should like to take the floor and go on in the morning.

Mr. PLATT of Connecticut. If it is understood that the Senator from Colorado has the floor—

The PRESIDING OFFICER (Mr. HANSBROUGH in the chair). Does the Senator from Colorado yield to the Senator from Alabama?

Mr. PLATT of Connecticut. Will the Senator from Alabama allow me to propose an amendment?

Mr. PETTUS. I was going to make a motion.

Mr. PLATT of Connecticut. Is there any amendment pending to the bill?

The PRESIDING OFFICER. Two committee amendments were passed over.

Mr. PENROSE. I have a committee amendment which I desire to offer at the proper time before we adjourn. I merely make the statement so that the Senate may not pass on the motion to adjourn until I have had that opportunity.

Mr. TELLER. Offer it now.

Mr. PENROSE. Very well.

The PRESIDING OFFICER. The amendment will be received.

Mr. PENROSE. I ask the Senate to consider now a committee amendment which I think meets with the approval of everyone, and to which there will be no objection.

Mr. FAIRBANKS. I suggest to the Senator, as section 56 was passed over, that that amendment be disagreed to and this one adopted.

Mr. PENROSE. Very well.

Mr. PETTUS. Mr. President—

Mr. PENROSE. I understand that I have the floor.

The PRESIDING OFFICER. The floor was yielded by the Senator from Colorado to the Senator from Alabama.

Mr. PENROSE. Excuse me, Mr. President; I did not understand that. May I proceed?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Pennsylvania.

Mr. PETTUS. Mr. President, I do not yield for the purpose of bringing up new business, but I thought the Senator from Pennsylvania wanted to offer some formal morning business.

Mr. PENROSE. No; I desire on behalf of the Committee on Immigration, having the bill in charge, to offer an amendment which I think should be placed immediately before the Senate, and to which there will be no objection, so that the bill as recommended by the committee may be printed and considered by the Senate.

Mr. PETTUS. I yield to the Senator for that purpose.

Mr. PENROSE. I desire to offer it now. It will take but a minute. I merely desire to have it read and passed on. There will be no objection to it.

Mr. CULLOM. Let it be read and lie over.

Mr. PENROSE. I ask to have the amendment read, and then I shall ask to have it considered.

On page 53 of the bill there is an amendment of the committee which was passed over when the bill was read, and which I ask be not agreed to. Then I shall offer as a substitute for the section the amendment which the Secretary has in his hand. I ask that section 56 be disagreed to.

Mr. MITCHELL. The committee amendment?

Mr. PENROSE. It is a committee amendment, and I ask that it be disagreed to. It is the section prohibiting the admission of Chinese in connection with expositions.

The PRESIDING OFFICER. The Senator from Pennsylvania asks that the amendment reported by the committee as section 56 be disagreed to. The question is on agreeing to the amendment. The amendment was rejected.

Mr. PENROSE. Now I move as a substitute for section 56 what I ask the Secretary to read.

The PRESIDING OFFICER. The Senator from Pennsylvania proposes an amendment as a substitute, which will be read.

The Secretary read as follows:

SEC. 56. That nothing in the provisions of this act or any other act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by act of Congress, from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary, not exceeding such maximum number in each case to be authorized by the Secretary of the Treasury, for the purpose of making preparation for installing, or conducting their exhibits or of preparing for installing or conducting any business authorized, or permitted under or by virtue of, or pertaining to any concession or privilege which may have been or may be, granted by any such fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of the Treasury may prescribe, both as to the number, admission, and return of such person or persons.

Mr. HOAR. May I ask the Senator who has offered that amendment a question? I do not know whether I heard it correctly, but I understand it is an authority to bring in any number of cool laborers for that purpose.

Mr. PENROSE. It only allows a number not exceeding a maximum number to be fixed by the Secretary of the Treasury in each particular case.

Mr. HOAR. They may be cool laborers owned by the man who brings them in, as I understand it.

Mr. PENROSE. It refers to Chinese persons regardless of the fact whether they are laborers or whether they belong to the accepted classes.

Mr. HOAR. As I understood the argument of the Senator from Nevada, and it has been stated also by others, the object is to prevent the bringing into this country of cool laborers, and this policy is justified on the ground that cool laborers were to be brought in by persons who own them.

Mr. PENROSE. All these people are to be returned.

Mr. HOAR. I understand.

Mr. PENROSE. They are all to go back.

Mr. HOAR. Then the Senator and I agree. I understand he does not question it. But he proposes to put in an amendment

that for some particular purpose, for a specially important national exposition, a lot of cool laborers may be brought in by their owners. That is the purpose.

Mr. PENROSE. The purpose is that Chinese persons having a concession for an exposition may bring in such persons as are necessary for the purposes of that particular concession without inquiry on our part as to their relations with the various individuals holding that concession. They are all to be returned when the exposition is over.

Mr. HOAR. So that if the Sultan of Sulu, if there be such a person, has slaves, as it is said by some hot-headed, wrong-minded men in this world, and chooses to bring in a lot of slaves and take them back again, we authorize him to do it.

Mr. STEWART. I do not wish to be understood as saying that the contractors are the owners of these laborers in the literal sense of the term. They enter into a contract providing for their services, and in case they should break the contract their relatives, who are pledged to it, would be their slaves.

Mr. HOAR. The Senator from California [Mr. PERKINS] supplemented that by saying that these persons were in a condition of practical slavery; that they not only pledged their wives and children, body and soul, at home, but their relatives, to carry out their contracts, and if they break them there were contrivances by which the man who breaks them might be punished by assassinating him, and that was done, according to the statement of the Senator from California.

Mr. STEWART. Will the Senator let me add to that statement right here that they have employed what they call highbinders, and if a man breaks a contract the highbinders go to him and he is frequently put out of the way? That is in addition to the pledge of their relatives that they would perform the contract.

Mr. HOAR. I understand that, in a bill proposing to strike at that wickedness, the committee, or the agent of the committee, proposes to insert a clause saying that that precise thing may be done for the purposes of a public exposition.

Mr. MALLORY. Mr. President, I have an amendment which I should like to offer.

Mr. MITCHELL. Was the amendment offered by the chairman of the committee agreed to?

The PRESIDING OFFICER. Does the Senator from Florida propose an amendment to the pending amendment?

Mr. MALLORY. No, sir; to the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania [Mr. PENROSE] on behalf of the committee.

The amendment was agreed to.

Mr. PENROSE. Now, let the amendment of the Senator from Florida be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. In line 6, page 2, strike out all after the word "since" down to and including the word "hereafter" in line 8.

Mr. MALLORY. The amendment strikes out the following language:

And it shall also apply to those who have been born there since, and to those who may be born there hereafter.

Mr. PENROSE. I desire to state that I am authorized on behalf of the committee to accept the amendment as offered. I ask for the present consideration of it by the Senate.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. HOAR. I should like to have the amendment stated. What is it?

Mr. MITCHELL. It is a motion to strike out.

Mr. MALLORY. The object of it is simply to leave open the question of the right of people born in the Philippine Islands since the acquisition of that territory to come to this country.

Mr. FORAKER. I should like to have the amendment read again. I want to take advantage of this opportunity to give notice that, with the consent of the Senate, I shall make some remarks upon this bill on Monday next immediately after the morning hour.

Mr. HOAR. Let the amendment of the Senator from Florida be read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 6, after the word "since," strike out the words "and it shall also apply to those who have been born there since, and to those who may be born there hereafter."

Mr. FORAKER. That is an exceedingly important amendment. It may be that it is exactly right. I assume that it is.

Mr. PENROSE. I ask that it be acted upon.

Mr. FORAKER. It doubtless accomplishes the purpose the Senator from Florida has in view in offering it, and that the committee have in view in accepting it, but I would be glad to have it printed and go over before the Senate acts on it.

Mr. PENROSE. As I understand it, the action will not be final. I ask to have it inserted in the bill—

Mr. FORAKER. Very well; I do not object to that.

Mr. PENROSE. So that the committee bill may be before the Senate in its perfected shape.

Mr. FORAKER. That is all right. I have no objection to that.

The PRESIDING OFFICER. The amendment is agreed to without objection.

Mr. FORAKER. That clause of the bill is one that I should like to have the right to look at more carefully before it is finally disposed of.

Mr. PENROSE. Now I ask for a unanimous-consent agreement that we may vote on this bill on Monday.

The PRESIDING OFFICER. Is there objection?

Mr. MITCHELL. Fix an hour.

Mr. PENROSE. At 4 o'clock.

Mr. MITCHELL. Commencing at 4 o'clock?

Mr. PENROSE. Commencing at 4 o'clock.

Mr. MITCHELL. To commence voting on amendments at that hour?

Mr. PENROSE. To commence voting on amendments at 4 o'clock, with five-minute debate on the different amendments.

Mr. FRYE. The debate to be under the limitation of Rule VIII?

Mr. PENROSE. Yes.

Mr. LODGE. Then we ought to begin earlier.

Mr. PENROSE. I will make the hour 3 o'clock.

Mr. TELLER. We ought to know, before we agree to this arrangement, whether we will have two more days this week or whether we will have but one.

Mr. LODGE. I hope the Senate is going to sit on Saturday, because I gave notice that I would speak on that day immediately after the routine morning business.

Mr. TELLER. If we are to have a session on Saturday the question is somewhat different from what it would be if we were not going to have a session on that day.

Mr. LODGE. And I should be glad to have the President of the Senate here at that time.

Mr. TELLER. I think the time is rather short.

Mr. PENROSE. Then I will make it Tuesday.

Mr. TELLER. That is better.

Mr. PENROSE. I ask that the bill be voted on Tuesday, subject to the five-minute rule after 3 o'clock.

Mr. CLAY. I desire to ask the Senator from Pennsylvania whether he expects to insist on the passage of the Senate bill that came from the Committee on Immigration, or does he expect to substitute the House bill for the Senate bill?

Mr. PENROSE. I understand that both bills are substantially the same.

Mr. CLAY. They are not exactly the same.

Mr. PENROSE. No; they are not exactly the same.

Mr. CLAY. If we are expected to take the House bill, many of us have not gone through it to ascertain all of its contents, and we ought to have more time than would be given by an agreement to vote on Monday.

Mr. LODGE. If I may be allowed, I take it that the parliamentary situation and manner of dealing with it would be that after the Senate has amended and perfected its bill, whether it passes the bill with amendments as it came from the committee or whether it substitutes the bill of the Senator from Connecticut, it would then strike out all after the enacting clause of the House bill and put in its own bill as an amendment so as to bring both into conference.

Mr. TELLER. Mr. President, I understand that several Senators who expect to take part in this debate are not here. Therefore I suggest that we wait until to-morrow morning and settle this question when there are more Senators present.

Mr. PENROSE. All right, Mr. President.

Mr. TELLER. That will do just as well.

Mr. PENROSE. I notified the Senate yesterday that I would make the request to-day. However, I will wait until to-morrow and renew it then.

Mr. TELLER. There is rather a thin Senate now. I understand that some Senators who are opposed to the bill have expressed a desire to be here when an agreement to vote is made.

Mr. PLATT of Connecticut. I understand that no amendment is pending.

The PRESIDING OFFICER. There is one committee amendment pending.

Mr. PENROSE. I understand that the committee amendments have been adopted.

The PRESIDING OFFICER. There were amendments passed over.

Mr. LODGE. The passed-over amendments are still pending. One of the most important clauses of the bill to be discussed is involved in such an amendment.

Mr. PLATT of Connecticut. I did wish to propose the amend-

ment of which I gave notice, but I will wait until the amendments of the committee are disposed of.

Mr. CULLOM. You had better submit it now.

Mr. LODGE. The amendment of the Senator from Connecticut is in the nature of a substitute?

Mr. PLATT of Connecticut. It is.

Mr. LODGE. It can not be offered until the original bill is perfected.

Mr. PLATT of Connecticut. I was willing to wait until the committee amendments are disposed of.

Mr. LODGE. I beg pardon; there are a great many other amendments to be disposed of. The Senator from Vermont [Mr. DILLINGHAM] has nearly a dozen amendments that he intends to propose to the bill, some of which are very important amendments. I speak with deference to the superior knowledge of the Senator from Connecticut, but we must complete or perfect the bill before the substitute will be in order.

Mr. HOAR. Mr. President, I understand the parliamentary rule to be that a substitute for a bill may be offered whenever a member of the Senate desires, and it may be pending, and that still amendments perfecting the bill or amendments perfecting the substitute are in order. That does not come within the rule that there can be but one amendment pending at once. If the Senator from Connecticut offers his amendment at this moment, all amendments to the pending bill will be considered first or all amendments to his substitute will be considered before the vote is taken on that.

Mr. LODGE. Undoubtedly. That is what I said.

Mr. PLATT of Connecticut. Then I will offer my amendment, if I may have the opportunity to do so, at the present time.

The PRESIDING OFFICER. The Senator from Connecticut offers an amendment, which will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and to insert:

That all laws now in force prohibiting and regulating the coming of Chinese persons and persons of Chinese descent into the United States, and the residence of such persons therein, be, and the same are hereby, extended and continued in full force and effect until the 7th day of December, 1904, and so long as the treaty between China and the United States concluded on the 17th day of March, 1894, and proclaimed by the President on the 8th day of December, 1894, may be continued in force by virtue of the extension thereof in accordance with the provisions for such extension therein contained. That the Secretary of the Treasury shall be, and he hereby is, authorized and empowered to make and prescribe and from time to time to change and amend such rules and regulations as he may deem necessary and proper to execute the provisions contained in the second paragraph of article 3 of said treaty of December 8, 1894.

Mr. HOAR. Mr. President, I should like to suggest to the Senator from Connecticut, if I may, whether it would not be well to have the time a little later than the 7th of December, 1904. That will be the very beginning of a session, so that if anything should happen, as a termination of the treaty, in the summer there might have to be an extra session of Congress called or we might have to deal very hastily with a condition of things. Would it not be as well to say the 7th of January or the 7th of February, 1905?

Mr. PLATT of Connecticut. The idea of my amendment is to continue existing laws just as they are until the expiration of the treaty, whether it shall expire on the 7th day of December by having been denounced or whether it shall continue longer by not having been denounced.

Mr. HOAR. Suppose the denunciation will come just six months before the 7th of December, 1904, which would be the 7th day of June, Congress might not be in session. In that case you would be left with your treaty gone and your statute gone, and there would have to be an extra session of Congress. You would have to do something within a day or two of the beginning of the session. It would seem to me that these laws should at least continue in force long enough to give Congress time to draw its breath by putting it a little later. I do not know whether I make my point clear to the Senator without restating it.

Mr. PLATT of Connecticut. Yes, I think I understand it. I do not wish to provide that our present laws shall be continued beyond the life of that treaty, because those laws have been passed with reference to the treaty.

Mr. HOAR. Suppose China denounces—to use the phrase that is used—this treaty on the 7th day of June, 1904, where are you? You have not got any treaty, which, perhaps, you do not care so much about, but you have not got any law on the 7th of December, 1904. So if this passes you must have an extra session in midsummer to get a law, or you have got to have the Chinese coming in until you get one after Congress assembles in December, 1904. It seems to me that the slight objection to having the law go over for two weeks after that time does not warrant taking that risk.

Mr. MITCHELL. Will the Senator allow me to state that what has taken place in the last five minutes is the best possible illustration that could be presented of the inadvisability of passing any such amendment as is proposed by the Senator from Connecticut?

Mr. HOAR. I am for the Senator's amendment.

Mr. MITCHELL. I understand.

Mr. HOAR. I do not make my criticism in hostility to it, but in aid of it, if I am right; if I am wrong, that is another thing.

Mr. PENROSE. If I may be permitted an inquiry, how could the amendment extend the time beyond the existence of the treaty without grave international complication and a violation of international comity and good faith?

Mr. HOAR. The extension for three or four weeks—

Mr. PENROSE. It seems to me it would be a grave offense.

Mr. HOAR. When we are in doubt whether China will terminate the treaty or not would not be a violation of international comity.

Mr. TELLER. She will terminate it soon enough if the amendment is adopted.

Mr. PLATT of Connecticut. She will terminate it, I think, if the measure which has been proposed by the committee is adopted.

Mr. TELLER. I will venture to say that she does not.

Mr. HOAR. Senators can think of it over night.

Mr. FORAKER. Evidently whether she will denounce it or not is a matter of speculation in view of what the Senator from Connecticut on one hand and the Senator from Colorado on the other says, but whether the one or the other be right it seems to me that the extension of the law ought to be for the life of the treaty. We will know six months before December 7, 1904, whether the treaty has been denounced by either party to it, and we will know, therefore, six months before whether it is to end in December, 1904, or to continue until December, 1914.

Mr. HOAR. The Senator will know that at his home in Ohio, very likely, and nowhere else.

Mr. LODGE. Before that time comes I hope it will also have been found out that not a single law now on the statute book in regard to the Chinese was passed with reference to the treaty. The treaty was made with reference to the law.

Mr. FORAKER. It will be manifest to everybody who examines the laws now on the statute book that the treaty was entirely disregarded when some provisions were incorporated in them.

Mr. LODGE. The Senator misunderstands me. I say that no law on the statute book was passed with reference to the treaty, and it could not have been done, because they were all made before the treaty.

Mr. TELLER. They were made before the treaty.

Mr. MITCHELL. Not a single law on the statute book was passed after the treaty of 1894.

Mr. LODGE. Not a law on the statute book was passed with reference to the treaty of 1894.

Mr. FORAKER. That is what I am quite familiar with and what I make reference to. There has been no legislation by Congress under the treaty that was entered into ten years ago.

Mr. LODGE. Not at all; but the phrase was used that the laws referring to the treaty should remain.

Mr. PETTUS. I move that the Senate proceed to the consideration of executive business.

Mr. FORAKER. Will the Senator withhold that motion for a moment?

Mr. PETTUS. Certainly.

Mr. FORAKER. It should be borne in mind that in the treaty of 1894 reference is made to some legislation that had been enacted; and some legislation, which it is claimed is in force, was enacted with reference to a treaty that was pending which was ratified by the Senate, but with amendments which were not concurred in by the Chinese Government, and the treaty, therefore, failed.

On motion of Mr. PENROSE, it was

Ordered, That 200 copies of the bill (S. 2900) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent, as amended, be printed for the use of the Senate.

#### EXECUTIVE SESSION.

Mr. PETTUS. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 11, 1902, at 12 o'clock meridian.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 10, 1902.*

#### APPOINTMENT IN THE ARMY—GENERAL OFFICERS.

*To be major-general.*

Brig. Gen. Robert P. Hughes, United States Army, April 1, 1902.

*To be brigadier-generals.*

Col. Isaac D. De Russy, Eleventh Infantry, April 1, 1902.

Col. Andrew S. Burt, Twenty-fifth Infantry, April 1, 1902.

Col. Michael V. Sheridan, assistant adjutant-general, to rank from the date of acceptance as major-general of Brigadier-General Hughes.

#### RECEIVER OF PUBLIC MONEYS.

William R. Akers, of Nebraska, to be receiver of public moneys at Alliance, Nebr.

#### POSTMASTERS.

Millard F. Campbell, to be postmaster at Wilburton, in the Choctaw Nation, Ind. T.

James R. Young, to be postmaster at Ada, in the Chickasaw Nation, Ind. T.

Thomas A. Sawhill, to be postmaster at Concordia, in the county of Cloud and State of Kansas.

Cornelius Van Zandt, to be postmaster at Wilton Junction, in the county of Muscatine and State of Iowa.

Melville Sheridan, to be postmaster at Osceola, in the county of Clarke and State of Iowa.

Warner S. Carr, to be postmaster at Lake Nebagamon, late Lake Nebagmain, in the county of Douglas and State of Wisconsin.

Harvey G. Lowrance, to be postmaster at Thayer, in the county of Neosho and State of Kansas.

Joseph L. Crupper, to be postmaster at Alexandria, in the county of Alexandria and State of Virginia.

George L. Wilkinson, to be postmaster at Neola, in the county of Pottawattamie and State of Iowa.

Wallace M. Moore, to be postmaster at Mount Vernon, in the county of Linn and State of Iowa.

James C. Harwood, to be postmaster at Clarion, in the county of Wright and State of Iowa.

John L. Waite, to be postmaster at Burlington, in the county of Des Moines and State of Iowa.

Charles H. Anderson, to be postmaster at Anamosa, in the county of Jones and State of Iowa.

Samuel L. Gatrell, to be postmaster at Midway, in the county of Woodford and State of Kentucky.

Daniel J. Adlum, to be postmaster at Missouri Valley, in the county of Harrison and State of Iowa.

Isaac Stauffer, to be postmaster at Gladbrook, in the county of Tama and State of Iowa.

Russel W. Branson, to be postmaster at Cherokee, in the county of Crawford and State of Kansas.

Willis S. Gardner, to be postmaster at Clinton, in the county of Clinton and State of Iowa.

Ira D. Hurlbut, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin.

John W. Keenan, to be postmaster at Lyndon, in the county of Osage and State of Kansas.

Mathew J. Orr, to be postmaster at Osceola, in the county of St. Clair and State of Missouri.

William T. McElroy, to be postmaster at Humboldt, in the county of Allen and State of Kansas.

R. A. Fulton Lyon, to be postmaster at Greensburg, in the county of Westmoreland and State of Pennsylvania.

Daniel D. Groves, to be postmaster at Brockwayville, in the county of Jefferson and State of Pennsylvania.

Theron E. Sedgwick, to be postmaster at York, in the county of York and State of Nebraska.

Charles B. Mersereau, to be postmaster at Manistique, in the county of Schoolcraft and State of Michigan.

Arthur A. Porter, to be postmaster at Portage, in the county of Columbia and State of Wisconsin.

David M. McQuown, to be postmaster at Punxsutawney, in the county of Jefferson and State of Pennsylvania.

Samuel J. Kleinschmidt, to be postmaster at Higginsville, in the county of Lafayette and State of Missouri.

Oscar J. R. Hanna, to be postmaster at Jackson, in the county of Jackson and State of Michigan.

A. B. Clark, to be postmaster at Hastings, in the county of Cambria and State of Pennsylvania.

Henry Grass, to be postmaster at Hermann, in the county of Gasconade and State of Missouri.

Archibald H. Cashion, to be postmaster at Perryville, in the county of Perry and State of Missouri.

Horace M. Wells, to be postmaster at Crete, in the county of Saline and State of Nebraska.

William F. Hamilton, to be postmaster at Galeton, in the county of Potter and State of Pennsylvania.

Frank E. Baldwin, to be postmaster at Austin, in the county of Potter and State of Pennsylvania.

R. D. Cramer, to be postmaster at Memphis, in the county of Scotland and State of Missouri.

James H. Porter, to be postmaster at New Wilmington, in the county of Lawrence and State of Pennsylvania.

Truman C. Manzer, to be postmaster at Forest City, in the county of Susquehanna and State of Pennsylvania.

Charles Sutter, to be postmaster at McKees Rocks, in the county of Allegheny and State of Pennsylvania.

James Bickerton, to be postmaster at Duquesne, in the county of Allegheny and State of Pennsylvania.

William L. Hunter, to be postmaster at Turtle Creek, in the county of Allegheny and State of Pennsylvania.

Reuben J. Mott, to be postmaster at Port Allegany, in the county of McKean and State of Pennsylvania.

George E. Washburn, to be postmaster at Wyncote, in the county of Montgomery and State of Pennsylvania.

Frank R. Cyphers, to be postmaster at East Pittsburg, in the county of Allegheny and State of Pennsylvania.

George H. Moore, to be postmaster at Verona, in the county of Allegheny and State of Pennsylvania.

John Bercher, to be postmaster at Mount Oliver, in the county of Allegheny and State of Pennsylvania.

Jonathan C. Gallup, to be postmaster at Smethport, in the county of McKean and State of Pennsylvania.

John W. Jones, to be postmaster at Bangor, in the county of Northampton and State of Pennsylvania.

Tom C. Hill, to be postmaster at Shickshinny, in the county of Luzerne and State of Pennsylvania.

Thomas A. Hunter, to be postmaster at Oakmont, in the county of Allegheny and State of Pennsylvania.

Rudolph Neiman, to be postmaster at Red Lion, in the county of York and State of Pennsylvania.

Charles Seger, to be postmaster at Emporium, in the county of Cameron and State of Pennsylvania.

William J. Peck, to be postmaster at Pittston, in the county of Luzerne and State of Pennsylvania.

Gilson A. Jackson, to be postmaster at Youngsville, in the county of Warren and State of Pennsylvania.

George W. Schmeltzer, to be postmaster at Pine Grove, in the county of Schuylkill and State of Pennsylvania.

Frederick H. Bartleson, to be postmaster at Sharpville, in the county of Mercer and State of Pennsylvania.

Benjamin F. Davis, to be postmaster at Freeland, in the county of Luzerne and State of Pennsylvania.

## HOUSE OF REPRESENTATIVES.

THURSDAY, April 10, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

### ELECTION CONTEST—LENTZ AGAINST TOMPKINS.

Mr. OLMSTED. Mr. Speaker, I desire to present a privileged report of the Elections Committee No. 2 on the election case of Lentz v. Tompkins, from the Tenth Congressional district of Ohio.

The SPEAKER. The report will be printed and referred to the House Calendar.

### ORDER OF PROCEEDING ON CUBAN RECIPROCITY BILL.

Mr. PAYNE. I ask unanimous consent that Saturday of this week be set aside for pension business, instead of Friday, under the rules, so that the debate on the Cuban reciprocity bill may be continued to-morrow without being broken into by pension business.

Mr. SIMS. Does this refer to the pension business of to-morrow?

Mr. RICHARDSON of Tennessee. As I understand, the request is simply that Saturday be substituted for Friday as the day for pension business under the rule. There is no limitation in the request upon the debate on the pending bill, is there?

Mr. PAYNE. Oh, no; not any.

Mr. UNDERWOOD. If the debate on this bill should run beyond to-morrow, this request will not interfere with its going on on Saturday.

Mr. PAYNE. My request was simply to substitute Saturday for Friday, so that if the debate on this bill should not be ended to-morrow it will go over until next week.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none; and it is so ordered.

### PENSIONS TO CHILDREN UNDER 16 YEARS OF AGE.

Mr. SULLOWAY. I am directed by the Committee on Invalid Pensions to submit a report upon the bill which I send to the desk.

The Clerk read the title of the bill, as follows:

A bill (H. R. 9324) construing the provisions of the act approved March 3, 1879, excepting from the limitations named therein the claims to pension by or in behalf of children under 16 years of age.

The SPEAKER. The bill will be referred to the Committee

of the Whole House on the state of the Union, and, with the report, ordered to be printed.

Mr. RICHARDSON of Tennessee. May I ask what this business is?

The SPEAKER. The Clerk will again report the bill by its title.

The title of the bill was again read.

Mr. RICHARDSON of Tennessee. What is the object of bringing the bill before the House? What is the request in connection with it?

The SPEAKER. It is being reported from the Committee on Invalid Pensions. That is the only object.

Mr. RICHARDSON of Tennessee. Can it not be reported under the rule? Why report it in open House?

The SPEAKER. This is done under the rules. The Chair thinks the committee is privileged for this purpose under the rules.

Mr. RICHARDSON of Tennessee. It is unusual, I think, to report bills of this kind in open House. I do not understand why this bill should not have been reported at the desk, through the box.

The SPEAKER. This bill is in the same category as appropriation bills and river and harbor bills. The committee, under the rule, is entitled to report these general bills in open House.

Mr. RICHARDSON of Tennessee. No action upon the bill is asked at this time?

The SPEAKER. Simply reference to the Calendar and printing.

Mr. RICHARDSON of Tennessee. I reserve points of order upon the bill.

The SPEAKER. The gentleman from Tennessee reserves all points of order upon the bill just reported.

### PENSIONS TO REMARRIED WIDOWS.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 12141) to amend an act entitled "An act amending section 4708 of the Revised Statutes of the United States in relation to pensions to remarried widows," approved March 3, 1901; which was referred to the Committee of the Whole on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I do not know what is in this bill. I desire to reserve all points of order against the bill.

The SPEAKER. The gentleman from Tennessee reserves all points of order against the bill.

### ALASKAN BOUNDARY.

Mr. HITT. Mr. Speaker, I submit a privileged report by the direction of the Committee on Foreign Affairs, which I will send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Secretary of State be, and he is hereby, requested to inform the House of Representatives whether the State Department has received from official or other sources information as to the reliability of reports which have recently appeared in public prints to the effect that in American territory, near the border of Alaska, British and Canadian officials (exercising authority by an agreement entered into by the Government of the United States and the British Government) are making surveys and encroachments upon territory not included in said agreement, and are removing and destroying ancient landmarks and monuments long ago erected by the Russian Government to mark the Alaskan boundary, and that the Secretary of State be also requested to inform the House of Representatives what steps, if any, the State Department has taken to ascertain the facts as to the alleged fresh encroachments upon American territory and the alleged removal and destruction of landmarks and monuments, and to prevent the same.

The Clerk read the committee amendment, as follows:

Amend by striking out all after the word "boundary," in line 13.

Mr. DALZELL. Mr. Speaker, I did not hear, and I would like to ask if this is simply a resolution of inquiry?

Mr. HITT. It is a resolution calling upon the Secretary of State to inform the House as to the reliability of a report published in the newspapers about the removal of landmarks on the Alaskan boundary. The committee has stricken from the resolution the latter part, which was a direction to the Secretary of State to advise the House what steps he has taken to prevent this. It was deemed by the committee, with the assent of the gentleman who introduced the resolution, better not to ask such a question of the Secretary, but to let our Government unquestioned pursue those steps that prudence suggested to secure the interests of our country. I move the previous question.

Mr. RICHARDSON of Tennessee. I would like to ask a question, Mr. Speaker. Is this a unanimous report?

Mr. HITT. It is a unanimous report and also has the assent of the gentleman who introduced it.

Mr. FITZGERALD. I understand that my colleague introduced it.

Mr. HITT. It was introduced by Mr. COCHRAN, of Missouri.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to the resolution.

The resolution was agreed to.

#### SHIPMENT OF HORSES, MULES, AND OTHER SUPPLIES TO SEAT OF WAR IN SOUTH AFRICA.

Mr. HITT. Mr. Speaker, by direction of the Committee on Foreign Affairs, I herewith submit a resolution which I will send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Whereas the governor of Louisiana has reported to the State Department the existence and operation in the State of Louisiana of a British base of supplies, conducted and controlled by British military officers, whereby horses and mules and other supplies, contraband of war, are shipped on British military and naval transports to the seat of war in South Africa for the augmentation of the British military forces in South Africa operating against the South African Republics of the Orange Free State and the Transvaal; and

Whereas the governor of Louisiana further reports, and sustains his report by affidavits of American citizens, that the said British base of supplies has been and is being used to procure by solicitation, fraudulent representation, and unlawful means the enlistment of said American citizens in the British army operating in South Africa: Therefore be it

Resolved, That the Secretary of State be, and he hereby is, respectfully requested, if not incompatible with public interest, to transmit to the House of Representatives the said report and communication of the governor of Louisiana, together with all accompanying affidavits, documents, and communications.

The Clerk read the following committee amendments:

Strike out the preamble.

In line 3, page 1, strike out the words "the said" and insert in lieu thereof the word "any;" and by adding after the word "communications," in line 3, page 2, the words "concerning shipments of horses, mules, and other supplies from Louisiana to the seat of war in South Africa;" so that it will read:

"Resolved, That the Secretary of State be, and he hereby is, respectfully requested, if not incompatible with public interest, to transmit to the House of Representatives any report and communication of the governor of Louisiana, together with all accompanying affidavits, documents, and communications concerning shipments of horses, mules, and other supplies from Louisiana to the seat of war in South Africa."

Mr. HITT. Mr. Speaker, the resolution is reported by the committee almost exactly as introduced.

The preamble and the recital therein are omitted. The whole purpose is covered by the resolution. The committee were unanimous in directing its recommendation, and the gentleman who introduced it assented to it.

Mr. SULZER. Mr. Speaker, as the introducer of this resolution, I submit—

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from New York?

Mr. HITT. I can not yield. Is it a question?

Mr. SULZER. I just desire to say a word.

Mr. HITT. I will yield to a question.

Mr. SULZER. I only want to say—

The SPEAKER. The gentleman from Illinois declines to yield.

Mr. SULZER. This is a question.

The SPEAKER. Does the gentleman from Illinois yield?

Mr. HITT. I do not, unless it be for a question.

Mr. SULZER. Mr. Speaker, I desire to ask a question. What change does the amendment make—

Mr. HITT. I have stated that. I can not yield further.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on agreeing to the resolution.

The resolution was agreed to.

#### CUBAN RECIPROCITY.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12765) to provide for reciprocal trade relations with Cuba, and pending that, I would like to see if some arrangement could not be made about the closing of general debate. Of course we have two days more this week for general debate, and I would like to ask the gentlemen who represent the opposition if we can not close general debate on Monday, so as to take up the bill under the five-minute rule on Tuesday of next week, thus leaving three days, including to-day, for general debate. I therefore ask unanimous consent that general debate close on Monday.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate close on Monday. Is there objection?

Mr. TAWNEY. Mr. Speaker, I demand a regular order.

The SPEAKER. The gentleman from Minnesota demands a regular order. The question is on the motion of the gentleman from New York to go into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

Mr. GROSVENOR. Mr. Chairman, the contribution that I shall make to the debate upon the pending measure will not be published as a campaign document by the Democratic party. [Laughter.] It will not be used to produce a Democratic majority in the next House of Representatives. It will not be available to aid in securing a repetition of the evil results that have grown to the United States by Democratic successes in past Presidential elections. It will not be used in any of the several Congressional districts of the United States to strike at the merits and standing of Republican members of the House. It will not be available to gratify petty jealousies nor the enviousness of small-sized men in their attacks upon their fellows. My speech will be an attempt, at least, to make plainer to the public of this country the real controversy which we have here; and I shall in my present condition of health deal carefully with my physical strength and try to follow a line of argument that will show how it is and by what road we have traveled to get to the anomalous position in which we find ourselves.

We find ourselves, Mr. Chairman, acting in perfect harmony with the President of the United States and his Cabinet, who are acting as a unit in advocating this measure or some measure of much greater liberality to the people of the island of Cuba. The action of the Ways and Means Committee in bringing this measure into the House and supporting it now with voice and vote is acting in party loyalty and party cooperation. The defeat of this measure will be accepted as a defeat of the Administration and a rebuke to the President. Aye, more than that, as it will be shown, such a defeat would react back to the Administration of McKinley and be accepted everywhere as a repudiation of the diplomacy of our Government under the Administration of the dead leader. Later on I shall refer to facts known to all our people, which it will be seen leaves an inevitable inference that this measure is an effort to make good in a small degree the just expectations of the Cuban people.

We find that the President of the United States, the recognized head of the Republican party, after all the appeals that have been made to him and all the discussions which we have had, adheres firmly and pertinaciously to the proposition laid down and guaranteed to the people of Cuba by the authorities of the United States many months ago. And we find the caucus of the Republican party, or a majority at least of the members of the Republican party of this House, upon a question of pure policy, as I shall show—a matter involving no possible political principle whatever—undertaking to follow the leadership of the President and his Cabinet, and yet antagonized, not upon the Democratic side of this House, but upon the Republican side of the House. The hour is pregnant with momentous results to the future of politics and policies, and I shall, while speaking with the utmost frankness, try to deal justly while recognizing the duty I owe to country first and to party second.

I shall have no criticism of gentlemen who find themselves compelled to break from their party organization and organize a hostile force against the Administration. If gentlemen feel they are bound by conscience or impelled by local self-interest to that course, I shall not complain. I shall attack the motives of no member of this House, and I shall make it none the less easy for any member's reelection by reason of anything that I shall say. Men have the right to choose between their party organization and their conscientious obligation as they understand it, and men have the right to sever their connections with the great onward march of the political party to which they belong and join, if they see fit, a party of mere expediency, based upon some local or special interest. It does not lie in my mouth to assail the motives of gentlemen thus actuated. I will attempt to show that the position occupied by the Ways and Means Committee and the vast majority of this House of Representatives, upon the Republican side, is no deviation nor deflection from the beaten pathway over which we have trodden in our advocacy of protective tariff.

I do not yield to any living man in my devotion to the doctrine of protection, both for revenue and for protection; and I will not permit myself to be disturbed when gentlemen of modern introduction into politics, of doubtful record upon the subject as shown by their own State platforms in other years, come and assail me and attempt to make it appear to the constituents of my district, to the people of the State of Ohio, and to the great Republican protective tariff sentiment of the United States, that I have in some way abandoned the faith of the fathers and am following new lights, borne in the "urns" upon the shoulders of modern reformers who are marching through the wilderness, lighted by the "urns" of self-interest and personal obligations, attempting to overthrow the political history of men who were fighting Republican battles when they were young men, scarcely active in the battles of the great past. [Laughter.] They quote from my written documents and written speeches, and they include with me a number of gentlemen whom I think can afford to stand the

criticism—PAYNE, of New York; DALZELL, of Pennsylvania; STEELE, of Indiana; LONG, of Kansas; MCCALL, of Massachusetts; GROSVENOR, of Ohio.

Well, Mr. Chairman, in all kindness, I may say that it would be a great thing if in the flight of years some time shall come when somebody somewhere shall be interested to read what some of these gentlemen have said who have been in public life and who thus criticise their associates. It will be a condition complimentary to these critics if what they say shall be remembered by anybody.

I have some personal record on this tariff issue, Mr. Chairman, and I do not know but what it might be well, in the light of the fact that my district has been flooded with assaults upon me growing out of this unfortunate disagreement in the House of Representatives, that I refer very briefly and modestly to my history so far as the protective system and a generation, in point of time, of earnest support I have given it is concerned.

Immediately following my election to Congress and while some of these gentlemen who now criticise me and my associates were starting out in politics and considering on which side of the protective problem they would align themselves, I found myself under the education of a lifetime arrayed in opposition to the Morrison tariff bill. That was a bill to produce a horizontal cut of the rates of duties upon all articles imported into the United States. Now, it may be well for me to stop here to say that the Republican party has never yet bound itself to stand once, forever, and unalterably in favor of any schedule of any tariff bill. If it had it would certainly be fatal to the consistency of the present position of the gentlemen of the Republican party on the other side of this question.

Let us see what the history of the past upon the tariff question will demonstrate. The Morrill tariff bill was passed before the Republican party came into power as a national organization. It was signed by a Democratic President, and yet in principle it was a Republican measure, Republican in its essence and Republican in its purposes. First, however, to raise revenue, and secondly, to protect the industries of the United States. That bill was changed in 1862 and 1863, and a step forward was made. The Republican party then coming into power when the war was over, the provisions of the Morrill tariff bill were deemed wholly unsatisfactory. First, because some of the schedules were too high, and other schedules were too low. So it was that a tariff commission of Republicans in the majority to revise the tariff was chosen. And out of that came the tariff of 1883, which was a Republican tariff. How would that bill and its schedules look to us to-day?

Would it be very wise to go back along the pathway we have traveled and shoot down as deserters from the Republican party men who voted to revise and reorganize and change the tariff of 1883? We did it under a political commission. We did it because of our own judgment and wisdom, and changed almost every schedule of the then existing tariff. Within my own experience here, when I was a new member, we defeated the Morrison tariff bill. We defeated it in a Democratic House and defeated it by Democratic votes; in part defeated it by the votes, among others, of two Democrats from the State of Ohio. Then came the McKinley tariff bill. On that bill was first placed, so far as Republican action was concerned, this vexed suggestion of reciprocity that now seems to be the signal of danger and fear to some of our friends.

I remember the discussion growing out of that bill. For ten long days we sat here in the Committee of the Whole and the bill was discussed. A great question arose; and, strangely enough, it was, among other things, the sugar tariff which caused the great interest therein. It was the purpose of the Republicans in that body to place sugar on the free list, and we had a sort of battle cry—I always thought it was more or less unworthy—of “a free breakfast table;” and we shook our fists in the faces of the Democrats on the other side and demanded a “free breakfast table.” So it was, however, that we placed sugar on the free list absolutely, making no tariff upon the raw-sugar product of Cuba, but placing a bounty of 2 cents a pound upon the American product of sugar. At that time we were looking forward to the question of the production of beet sugar. We also provided for the free introduction into the United States of machinery for the manufacture of beet sugar. We had made arrangements for the free introduction into the United States of sugar-beet seed.

I cite this fact to show that the sugar-beet industry was then in esse, if not in an assured condition of success. The great question as to the sugar schedule of that day grew out of the difference of opinion between Mr. Blaine, who had been for a long time an advocate of reciprocity, and William McKinley, who was at that early day also a disciple of Blaine reciprocity, but not committed to all the details of Blaine's position. It so happened that I myself heard in the State Department an almost acrimonious discussion between Mr. McKinley and Mr. Blaine upon this ques-

tion, one side favoring a tariff on sugar, hides, etc., all put into the schedule, and then left competent for the President of the United States, in case of reciprocity, to take the tax off sugar. This was a question of law and administration, and both the great leaders to whom I have referred favored the use of sugar as a basis of reciprocal negotiation. Sugar was then an “infant industry,” and yet these two great champions of protection favored reciprocity in this article.

There has never been an attempt to establish reciprocal trade with any great sugar-raising country that did not involve negotiation looking to the use of sugar as one of the articles to be affected.

The other great leaders of the party at the time took exactly the other view of it, and argued in favor of leaving the duty off or prescribing the amount that should be proclaimed by the President in case reciprocity should fail. And so it was that we ultimately placed sugar on the free list, providing that there was no adequate or sufficient or satisfactory reciprocity granted by the foreign States; then the President of United States might put sugar coming from such country onto the tariff schedule at a rate of duty which we prescribed in the law.

Then we went forward, and reciprocity for the first time found an enduring place upon the statute books of the United States. And reciprocity at that early period of time numbered within the articles that were to be taken possession of and dealt with for reciprocal trade with foreign countries this same vexed article of sugar. Then came the Democratic tariff of 1894, the so-called Wilson bill, which grew out of the defeat of our party in 1890 and 1892, and in that law the Democratic party placed itself in utter hostility to the reciprocity conditions or propositions of the McKinley law and put the tariff on sugar, and we went forward through the disastrous period with which we are all familiar and about which I do not propose now to talk.

Then came the Dingley bill. Now, let me tell gentlemen who undertake to assault members of this House for lack of fidelity to the Dingley law that it would be well for them, before they attempt to sow the seeds of discord in the Republican ranks in this country, before they attempt to aid the Democratic party of this country to secure a majority in the next House, it would be well for some politicians and statesmen to know something about what they are talking about. [Laughter.]

Everybody who had anything to do with making the McKinley law—and there are present in this House no less than seven or eight of the members who all that winter long following the election of McKinley in November sat down day and night and Sundays in the Cochran Hotel and worked on the bill which was to be offered in the spring, and they will all remember that Mr. Dingley and the weight of opinion in that conference was against the high rate of duty that afterwards appeared in the law on raw and refined sugar. But at last, after a long contest, lasting all winter, and after the sugar trust had been heard, and after the beet-sugar men had come here in full force—intelligent men, far-sighted gentlemen—the Dingley bill was passed in the House, providing for a certain reduction upon raw sugar from Cuba and every other country that would enter into reciprocal relations with the people of the United States.

No man who ever lived had a higher regard for his integrity, his wisdom, and his devotion to Republican principles than I had for Nelson Dingley. I esteem it an honor to have been a member of the committee over which he presided, and to have been in the councils of the party when that bill was produced and carried to triumphant results; and I do not know a member here who was cognizant of what was going on but that knows that the enormously high rate of duty placed on sugar, which stands in the law of the United States to-day, was put there for the purpose of reciprocity, and probably with the Island of Cuba.

What happened? The bill went over to the Senate, and our reciprocity provision was mutilated and destroyed in that body. Then came the committee of conference. It is customary in some cases nowadays to refer to private conversations with dead men; it is the most comfortable way to swear oneself occasionally out of a dilemma that I know of. [Laughter.] If you can only find the other person dead, and tell what you said to him and what he said to you, you have got a sure thing that you will never be contradicted. [Laughter.] Sometimes the act is called brave and sometimes it is denominated by a word standing at the other end of the line in the matter of its descriptive meaning. But it is known to the gentlemen who served upon the conference committee on the Dingley bill that Nelson Dingley understood perfectly that the rate of duty upon raw sugar was too high, was unreasonably high, and he voted and steadily voted for its reduction.

But at last came this troublesome question which I will make plain to you in a nutshell. If the duty was to be reduced on raw sugar, then the American Sugar Refining Company, which at that time refined about 90 per cent of the sugar of the United

States, would get the benefit of the reduction upon the general tariff line of imports from all the countries of the world. Therefore, while Mr. Dingley felt that the rate of duty was too high—unreasonably high—he was unwilling that it should be reduced unless the differential between the raw and the refined sugar was also reduced. Then came the beet-sugar men—then, I admit, somewhat in their infancy, because they are still an undeveloped industry in this country—and they arrayed themselves against the reduction of the differential.

If we should cut down the duty upon refined sugar it would harm the beet-sugar interest, and if we should cut down the duty on raw sugar, then we should benefit, it was said, the sugar trust, as it was called. So at last, finding ourselves led by Dingley, so far as the House members of the conference were concerned, we voted to retain those provisions—to retain the high duty upon sugar—with the distinct expectation which every member of Congress had at that time that sugar would be one of the prime articles that would be used in the interest of reciprocity.

We now hear talk about a repeal of the differential which exists between the article of raw sugar and the article of refined sugar, and one of the gentlemen who has made himself quite vigorous in his support of the opposition to the plan of the Ways and Means Committee has given notice, as I understand it, that he will distinctly offer a proposal to repeal the rates of duty on refined sugar while maintaining the present high rates of duty on raw sugar. This is to come, as I understand it, from the friends of the beet-sugar industry. The effect would be of course to open our markets to the tremendous product of beet sugar now being produced in Germany, France, and other European countries and assail the present protection that beet sugar has. This is to be done, as I understand it, for the purpose of an attack on the American Sugar Refining Company, and it doubtless would affect that company injuriously to some extent, but while it was doing that it would force the American beet producer into direct and open competition, unaided by Government protection, with all the beet sugar of Europe. If ever there was an industry in the United States that ought to cry out by day and by night "save us from our friends," it is the beet industry of the United States to-day.

Now, go to the debates in that Congress that enacted the bill, and there are many members here who recollect all about it. You will there see that there was a clear understanding that the tariff on sugar was an unnecessarily high tariff, as we now admit that the tariff on a great many other articles is an unnecessarily high tariff.

And right here I deflect from the line of my remarks to say that, devoted as I am to a protective tariff system, long and earnestly and faithfully as I have followed the flag of protection, fully as I have imbibed the teachings of the great fathers of the American principle, and earnestly as I have followed in the footsteps of the men who have been leaders in this House—McKinley and Dingley, and Harrison in the White House, and all the great leaders of the protective-tariff system—I have never yet permitted myself to become the worshiper of the schedules of a protective-tariff system as a fetish that could not be examined, criticised, and revised. And if there is in this House any young Republican who supposes that the shibboleth of his future political career is to be an unswerving demand that the hand of revision shall never touch a schedule of the Dingley tariff bill, that man might just as well go into retirement, for his services to his country will be absolutely valueless in the future.

I quote an extract from a speech which I had the honor to make on the day before yesterday at the convention in my own district in Ohio, which did me the honor to nominate me for Congress for the ninth time. I quote the paragraph from the newspaper report of the convention:

#### TRUE TO POLICY OF PROTECTION.

It may be said in this connection that no one in the Eleventh Congressional district of Ohio nor any man in the State acting intelligently has the slightest doubt of the stalwartness of General GROSVENOR's support of the true principles and practices of protective tariff. He made use to-day of the following language, which may be somewhat significant:

"Earnestly as I support the doctrine of protection, cordially as I stand by the platform of the party, enthusiastically as I defend the operation and effect of the Dingley tariff bill, I would not be classed among those who worship a statute as a fetish. A protective-tariff law is subject to the fluctuation of conditions, and it must be wisely considered and fearlessly made to adjust itself to the new conditions that are paramount to old prejudices; but when the time comes, and that time has not come yet, when there ought to be modification of the tariff law, the suggestion of wisdom is that the changes shall be made by the friends of protection, and I modestly suggest that no men are better capable of saying when changes shall be made and how they shall be made than are the men who observed the country suffering under the pangs of poverty and industrial depression under the only Democratic Administration since the war, and who emerged with the triumphant column of McKinleyism under the new leader, the venerated and ever to be admired Dingley, out over the Jordan of despair and into the promised land of prosperity and peace and hope in which we are now living."

Commenting upon this speech the following appeared in the Star of this city and reflects fairly the sentiment which I hold in regard to the attitude both of McKinley and Roosevelt:

#### GENERAL GROSVENOR ON PROTECTION.

The Republicans of the Eleventh Ohio district have renominated General GROSVENOR for Congress. He is an able man, and one of the leaders of his party in the House. His people have been well served by him, and they are wise in desiring to keep him in commission. In addressing the convention which had thus honored him General GROSVENOR said with other things:

The paragraph reproduced in the paper was the same as appears preceding this article.

This is the position that many Republicans take. They will assist in revising the tariff when the proper time comes; but that time, they assert, is not now. Business is booming. Confidence is widespread and well established. If the tariff, even in the slightest degree, is disturbed, conditions will be unsettled and disaster as pronounced as prosperity now is will follow. And so we arrive at that well-known adjuration, "Let well enough alone."

If we follow this reasoning, we must conclude that tariff revision must await dull times, or maybe hard times. But will anybody insist upon that? Would a revision of the tariff, with the schedules already high, and with our years of plenty ascribed to them, be suggested as a remedy for a tight money market and a collapsed trade? It certainly would not be by the friends of high protection. They would take any other ground than that.

But what was the position of Mr. McKinley? He thought eight months ago that the time had already arrived for a revision of the tariff. He was a very sagacious man, and particularly where the tariff was concerned. In his opinion, expressed at Buffalo, our enormous industrial growth and phenomenal prosperity had laid an obligation upon us to adjust our tariff arrangements by reciprocity and a removal of duties no longer needed for protection, to the demands of an expanding trade. He had no fear of an evil effect upon business. On the contrary, he thought that business would be promoted by such a course, and had he lived he would have emphasized his Buffalo argument both by additional words of mouth and by State papers.

But, for that matter, Mr. Roosevelt is of a like opinion. He also holds that reciprocity is necessary to our continued prosperity now, and probably that there are some industries which have prospered beyond the longer need of legitimate protection. Are there better names to conjure with in Republican circles than McKinley and Roosevelt?

From 1862 down to the great contest of 1888, and down through all the days of battle on this floor against the Mills bill, the Morrison bill, and in favor of the McKinley bill—against the Wilson bill and in favor of the Dingley bill—there has been a distinct recognition upon the part of distinguished Republicans that it was proper and competent always and under all circumstances to adjust and readjust the schedules of the tariff to the conditions of the country at the particular time. And he who stands riveted—chained—to a schedule is not the true friend of the protective system.

Why, sir, we did not dare to put into the platform of the Republican party following the defeat of 1890 and 1892 and following the success of Mr. Cleveland—we did not dare to put into our platform that we would reenact the exact schedules of the McKinley law. There is not a gentleman who reads platforms, who participates significantly in any debates upon the hustings of the United States, who will not remember that we distinctly told the people in 1896 that we were not wedded to the schedules of the McKinley law. No man made haste more energetically or more patriotically than did McKinley to tell the people of the United States that it was not a question of schedules, but it was a question of protective principles.

Now, when you are that sort of a man you are an intelligent and valuable Republican protectionist. When you believe that you must adhere to every word, to every dotting of an "i," to every punctuation mark in some bill that was passed under conditions which existed at the time, but may subsequently have changed, and when you say "I will never deviate from one line or one word of that great measure of protective tariff," you have written yourself down a useless member of the House of Representatives and a poor representative of the people at home.

What is it that agitates this country from one end of it to the other? The demand upon us that certain tariff schedules shall be changed. What is my position on that question? I will tell you what it is. I see no special reason why to-day the principles that underlaid the Dingley bill and which were carried into execution in its enactment should be changed or modified in any respect whatever.

I do think that I see the coming time, not far in the future, when there will be an unanswerable demand for changes in some schedules; and I call attention to the fact that the gentlemen who have assailed members of this House, who have attempted in their way to drive other members out of the Republican party, have made haste to point out in printed documents that have been circulated far and wide in this country the reason why there ought to be changes in the schedules of the Dingley tariff law. When the time comes the American people, if they are wise, will remit the question of the revision of the tariff to the Republican party, who will revise it intelligently and along lines based upon the fundamental principles of tariff protection. And there is nothing to-day that threatens the industries of the country so much—there is nothing to-day that is so greatly shaking the foundations of business—as the fact, known throughout the United States, that there is an organization in the House of Representatives prepared, by revolutionary measures, to overthrow the rulings of the Chair and precipitate this country into a great maelstrom of tariff agitation and premature tariff revision. That is what is to-day checking the tide of business.

It is not the Ways and Means Committee that is threatening tariff revision at this time. It is not the majority on the floor of this House that is menacing the country with tariff revision. We are proposing no tariff revision. No fair-minded man will say so. No fair-minded newspaper will say to the people of the country the Ways and Means Committee of the House of Representatives are threatening to enter upon a revision of the Dingley tariff. Times are not ripe for it. When a member of Congress deliberately introduces into Congress a bill to strike at certain specific industries because they are being produced at cheaper rates in this country than they can be produced abroad, he is not acting intelligently and will not stand by his own position, in my judgment. And when a member of the Ways and Means Committee deliberately votes to put on the free list the articles of American manufacture of steel and iron, while leaving the raw material of those products upon the dutiable list, paying high rates of duties, as under the Dingley law, he can not shake his gory locks at me and say that I am violating the principles of protective tariff.

They tell us—and this is a deflection from the line of my argument—they tell us about the farmer of the country. They echo the cry of the gentleman from South Carolina, who struck the tuning fork of the howl that went up from a certain organization in the House of Representatives. He said that we had done nothing for the farmer; that the farmer of the country was being struck at; that that was the only industry the farmer had in his country, and we were striking at it. Why, Mr. Chairman, the fondest dreams that all the farmers of the United States ever had, the most enthusiastic prediction that was ever made by or for the farmers of the United States never pictured or predicted a condition such as they are enjoying to-day at the hands of the Republican legislation of the Congress of the United States. [Applause.]

Exports of a billion dollars last year—a billion dollars! They sometimes talk about a billion-dollar Congress, and a billion-dollar country, but we have got a country that exported of the agricultural products of this country last year a billion dollars into the markets of other countries, and gentlemen stand up here on the floor of the House and say, "Oh, you will destroy all that if you do not hold up the high protection to beet sugar." The cry that Patrick Henry so gloriously described when he defended the American soldier for the misplacing of the beef sinks into utter insignificance as compared with the cry of gentlemen who will stand up on the Republican side of the House of Representatives with full knowledge that the farmers of this country are growing more prosperous and are prosperous beyond all the parallels and dreams that they ever had, and, scanning the figures of an exportation of a billion dollars in a year, then say that we are striking down the only interests that saves the agriculture of the country. God help the agriculture if it is narrowed down to that!

Now, I have shown conclusively, and I challenge contradiction, that sugar has been in Republican estimation, and in Republican enactment, and in Republican discussion understood to be a fit subject of reciprocity. Now, let us see how we came up to this question, and where we are now. I am not one of those who join in the shout in favor of the doctrine that the American people are under some kind of legal or moral obligation to do something that would be unwise or unpatriotic and injurious to any of our interests for the benefit of the people of the island of Cuba. Had I had my way about it from the very beginning I would have prayed that this cup might pass from us. I hesitated, and when the proposition was 50 per cent, declared with some considerable vigor that I would never vote for it. When it sank to the 40 per cent of the gentleman from Kansas, I still refused, and when I understood that the Administration ultimatum was 25 per cent, I said I would not do that if I could do better. Why? I had been a friend of the establishment of this industry of beet sugar. The gentleman need not read that speech of mine any more, unless he is satisfied, as I am, that it would be an improvement upon his own declaration to embody the greater part of it in his utterances. [Laughter.] He need not come to me and say that I have changed front, for there is not one word I ever wrote or spoke, that these gentlemen have been so industriously searching for, that I would not repeat to-day; and that is the real issue that we are contending for on this floor and in this Congress.

I want to refer for a moment to the utter unfairness that has been manifested in the assaults made upon myself, and incidentally but less directly upon the members of the Ways and Means Committee which in the Fifty-sixth Congress made the report which has been constantly read and reread here. The attempt was made to make it appear that the report which I wrote, and which has been so often referred to, was upon a proposition to reduce the tariff on Cuban and Porto Rican sugar. No greater injustice was ever done. No more palpable scheme of deception was ever attempted. The bill or resolution of the gentleman

from Tennessee [Mr. RICHARDSON], upon which that unfavorable report was written, was a bill to put all the products of sugar, all the ingredients entering into the manufacture of sugar, including molasses and all its ramifications, absolutely upon the free list, and to bring the production of Cuban cane and Porto Rican cane into the United States without any tax whatever, against which I inveighed in that report.

If I were rewriting that report I would not omit one word or syllable from it. It was a report defending the propriety of protection of sugar of the United States and against the building up of the substantial monopoly of the American Sugar Refining Company. What bearing has that upon the question involved here, which is simply and solely the question of whether there is left to the American sugar industry an ample and sufficient protection? I am not going to testify to any of the utterances of dead men, however it came. I will not go beyond the possibility of the vindication of any man by his own declaration of what I may say, but I accept the situation to be about this: We went to war with Spain for the liberation of Cuba. We did not treat Cuba as we have treated any other country on earth. It is not worth while for gentlemen to tell me now at this stage in the proceedings that this is a question of what we will do for a foreign country and that we are under no obligation simply because Cuba is a foreign country. The rule of estoppel applies here. The rule of estoppel, which applies in the business transactions of men's lives, applies as thoroughly and as strongly in the condition now at bar as though it were a lawsuit between two men. Cuba may or may not have invited us to interfere for her liberation. I do not know whether she did or did not. It is a matter of total nonimportance. We did go to war and we went to war because Spain would not surrender her sovereignty over the island of Cuba, and I do not care who produced the war.

There is somewhere in one of the comic operas of the country what purports to be a condition that happens at a battle, or about the time of a battle, between the Russians and the French, and there was a hotel keeper in the neighborhood whose hostelry stood on the disputed ground between the two armies. He had a splendid picture of a French soldier and another one of a Russian Cossack, life size, upon a peculiar sort of signboard which could be turned either way in a moment. As the news comes first from the battlefield that the Russian is gaining ground and is coming the landlord rushes out and turns the crank, and the Cossack makes his appearance. Directly the tide of battle seems tending in the other direction, the exhibition of the Cossack is at once put an end to and the splendid French soldier makes his appearance.

Mr. RICHARDSON of Tennessee. Napoleon.

Mr. GROSVENOR. It does not make any difference who it was; he was a Frenchman. Sometimes as I listen to these speeches and remember the history of 1898 I am reminded of the comic opera of the Black Hussar.

Mr. HENRY C. SMITH. And the sugar trust set up the drinks.

Mr. GROSVENOR. The sugar trust was not in that, my friend. I tell you, if the gentleman ever sees a spook at night, if he is ever out traveling in the nighttime and sees a spook, the gentleman always says, "That is the sugar trust." [Prolonged laughter.] Do not always feel that way. It may not be the sugar trust and may not be harmful. I hope the gentleman will trust to Providence that there are some ghosts beside the ghost of the sugar trust. [Laughter.]

Looking back to the spring of 1898 I am always reminded of the Cossack and the Frenchman. The only difference is that the two signs are a little wider apart; as I remember them, they were not susceptible of being immediately thrown into view. The Cossack would make his appearance in the White House and harangue the President and get kindly words from him and give kindly assurances, and the Frenchman would come down into the committee of the "reconcentrados" and discuss the question of overriding the Speaker of the House and turning topsy-turvy the whole organization of the party and going to war helter-skelter, and the devil take the hindmost—[laughter]—organization to overthrow the action of the House. The President was denounced, and all that sort of thing.

The only difference between the Cossack and the Frenchman of the opera we have with us is that the Cossack and the Frenchman of the opera lasted only through that battle, while our Cossack and Frenchman, the reconcentrado and the Presidential supporter, still live and flourish. We are up to the question; how did we get there and what is the question? While we were still in session here in the Fifty-sixth Congress, all of us hoping that Cuba would so act in the matter of her constitutional convention as to justify the good work that we had done for her, we learned that she finally reached a result that was totally unsatisfactory to the people of the United States, and the Administration refused to consider as a step in the direction of the ultimate relief of Cuba the constitution which she had formed. And a delegation of the

constitutional convention came up here, and they were told in unqualified terms that the so-called Platt amendment, which had been agreed to by the House and the Senate, was an ultimatum, and that unless they agreed to that the statu quo would be maintained and they would be held to be a conquered province and not even on the road to independence.

Now, what else happened? I do not know; but I know this, and I will go to the verge of what any gentleman ought to go. I know that after a full conference with the President, with the Secretary of War, and with the Secretary of State and other distinguished gentlemen, both in the legislative and the executive branches of the Government, that delegation went back from their conference with the President to Habana and told the people of Cuba officially and publicly that it was understood and promised by the Administration that in the event they would adopt as a part of their constitution the Platt amendment concessions in the form of reciprocity should be guaranteed to Cuba. This is a part of the written history of those days.

That is what they stated. I am not here to say whether it was true or false, but as a lawyer and as a man of some intelligence, and in view of the fact that that declaration was made—possibly not made while Congress was in session, but made publicly, in the full light of day, and no dissent made to it by the President or by anybody speaking for him—I say that it is fair to presume that that promise was made. In addition to that our representatives in Cuba have undoubtedly given assurance to the same effect. I think that sometimes they have not happened to be as fully intelligent representatives as they might have been, but I think we have reached the point that was fairly stated by the President of the United States yesterday. I wonder, I am amazed, after the tremendous assaults which have been made upon the Administration, that the President yesterday at Charleston should have dared to utter the language that he did last night in the best speech that he ever made in his life. I am glad that when the President believes he is right he stands by it.

Mr. Chairman, I will not stop to read, but I ask unanimous consent that I may publish as part of my remarks certain extracts.

Mr. HENRY C. SMITH. It may embellish your speech.

Mr. GROSVENOR. I have a great deal of my own that I could safely commend to the gentleman from Michigan in the same direction, in my opinion.

The CHAIRMAN. Does the gentleman desire that the request should be submitted at this time.

Mr. GROSVENOR. I ask unanimous consent to print certain extracts.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to insert certain extracts as a part of his remarks. Is there objection? [After a pause.] The Chair hears none.

The following are the extracts referred to:

#### WEST INDIES TO THE FRONT.

You have made a particular effort in your exhibition to get into touch with the West Indies. This is wise. The events of the last four years have shown us that the West Indies and the Isthmus must in the future occupy a far larger place in our national policy than in the past. This is proved by the negotiations for the purchase of the Danish islands, the acquisition of Porto Rico, the preparation for building an isthmian canal, and, finally, by the changed relations which these years have produced between us and Cuba. As a nation we have an especial right to take honest pride in what we have done for Cuba. Our critics abroad and at home have insisted that we never intended to leave the island. But on the 20th of next month Cuba becomes a free republic, and we turn over to the islanders the control of their own government. It would be very difficult to find a parallel in the conduct of any other great State that has occupied such a position as ours. We have kept our word and done our duty, just as an honest individual in private life keeps his word and does his duty.

Be it remembered, moreover, that after our three years' occupation of the island we turn it over to the Cubans in a better condition than it ever has been in all the centuries of Spanish rule. This has a direct bearing upon our own welfare. Cuba is so near to us that we can never be indifferent to misgovernment and disaster within its limits. The mere fact that our administration in the island has minimized the danger from the dreadful scourge of yellow fever, alike to Cuba and to ourselves, is sufficient to emphasize the community of interest between us. But there are other interests which bind us together. Cuba's position makes it necessary that her political relations with us should differ from her political relations with other powers. This fact has been formulated by us and accepted by the Cubans in the Platt amendments. It follows as a corollary that where the Cubans have thus assumed a position of peculiar relationship to our political system they must similarly stand in a peculiar relationship to our economic system.

#### RELATIONS WITH CUBA.

We have rightfully insisted upon Cuba adopting toward us an attitude differing politically from that she adopts toward any other power; and in return, as a matter of right, we must give to Cuba a different—that is, a better—position economically in her relations with us than we give to other powers. This is the course dictated by sound policy, by a wise and far-sighted view of our own interest, and by the position we have taken during the past four years. We are a wealthy and powerful country dealing with a much weaker one; and the contrast in wealth and strength makes it all the more our duty to deal with Cuba, as we have already dealt with her, in a spirit of large generosity.

Mr. GROSVENOR. Now, that has brought the question in an acute form to us. It is a question, gentlemen, of a duty that you can not shirk from, and your vote upon the passage of this bill will be a vote of approval of the attitude of the Administration—aye, of the two Administrations—or it will be a vote of open and

defiant condemnation. "Choose ye this day whom you will serve. If the Lord be God, serve him; if Baal, serve him."

Now, gentlemen, this question was in just as acute form before the Ways and Means Committee as it is before you gentlemen here. And just exactly what the President deemed to be a true and patriotic policy of the country on this question came up over there as you understand it now; and so the question is this under all circumstances, whether it is just or unjust; and the attitude of the President being thus clearly defined, will we reject the suggestion of the Ways and Means Committee and turn ourselves around to open and aboveboard hostility to the action of the Administration, and thereby start the work of disintegration in every Congressional district in the United States? Gentlemen think, because some of you represent the dominant sentiment, that there is not an underlying sentiment in every Congressional district in this country that the Administration of Roosevelt has been faithful, upright in his purpose of carrying into execution and practice the promises made at Buffalo, and do not get yourselves mixed up with the question that the people of the United States do not take broader views than some personal obligation of a member in a Congressional district may have to a local interest.

Now, I said a long time ago that I would not cast any vote in this House that would, in my judgment, injure any American industry. Nobody need come to me to tell me that the doctrine of the Republican party is that nobody shall lose a day's work. That is exactly what I have been fighting for during all these years. Let us see now if there is any danger. I am going to make my statement in round numbers, for there will be full demonstration made in this debate before it is done with that will substantiate all I say upon that question. I say, first, the tariff on raw sugar, as fixed in the Dingley bill, with the right of reciprocal reduction, is out of all reason, is out of all necessity, away above any demand that is justly made in behalf of that industry. As against the Cuban sugar the tariff is to-day 94 per cent. What do you think of that? Let me tell you. Agitate this question. I know that some of you are filling some of the Congressional districts with statements on this subject. There are 77,000,000 American people, and there are 76,500,000 of them that buy sugar, and there are less than 500,000 of them personally interested in the growth and prosperity of sugar production. And so, if you will make a careful consideration, you will find you have got yourselves allied in interest with a very small minority on the one side and an overwhelming majority on the other side. [Applause.]

Mr. VANDIVER. Will the gentleman allow me to ask him a question for information?

Mr. GROSVENOR. Certainly.

Mr. VANDIVER. In the interest of the 76,500,000, do you mean to imply that they would get their sugar cheaper?

Mr. GROSVENOR. We did get it cheaper under Republican policy when we took the tariff all off.

Mr. VANDIVER. Well, I am just asking for information for the benefit of the 76,500,000.

Mr. GROSVENOR. That is a matter very easily stated. I have sat around here and been hammered over the head for the last six weeks, and I have got some opinion upon this matter myself. I do not believe that the reduction of 20 per cent on sugar production in Cuba will make the smallest possible reduction in the value of the sugar of the United States.

Mr. VANDIVER. I only wanted the gentleman to explain that in the interest of the 76,500,000.

Mr. GROSVENOR. But I do believe the gentlemen that are arguing to the people of the country that we are about to reduce the protection on sugar so as to precipitate 800,000 tons of sugar onto the American market, and thereby destroy the beet-sugar industry, which means, in other words, to lower the price of sugar, I say that those gentlemen are dealing with edged tools that may come home to cut on the other side. That is what I say. It was an unwise act to start this panic. Mr. Oxnard, the greatest promoter of beet-sugar production in the United States, stated frankly and fairly that the beet-sugar industry could stand a reduction of 25 per cent. Had this bill been allowed to pass without opposition or contention, without reconcentrado opposition, and the cry that has gone up to the country, it is my judgment that the beet-sugar industry would never have felt the effects of this reciprocity. As it is, there may be a panic, stockholders may abandon their property, but you will see that there will be a Havemeyer or an Eastern capitalist for every share of stock that doubting stockholders are willing to sacrifice. It is just exactly as bad for their position if it does reduce the price of sugar as though it did not.

Mr. CANDLER. Will the gentleman tell us why it will not reduce the price of sugar?

Mr. GROSVENOR. Let me make my own speech, my friend. [Laughter.] I will give notice now that there will be nobody's speech published in the bowels of my speech. [Laughter.]

Mr. CANDLER. I asked simply for information.

Mr. GROSVENOR. I may be able to give it to the gentleman. I have said that the great question of figures, the statistics, and the arguments growing out of the 20 per cent reduction I will waive, because my colleague on the committee [Mr. LONG] will be more fully prepared for that emergency than I am myself. I hope that is satisfactory to the gentleman from Mississippi, for I mean no unfairness to the gentleman.

Mr. CANDLER. I was simply asking for information.

Mr. GROSVENOR. I think the gentleman will get it.

Ninety-four per cent tariff on an agricultural product the growth of which is being promoted by improvements and additional and improved facilities every day of our lives. Are we violating any principle of protection by reducing the tariff on sugar 20 per cent? No. And it is then 5 per cent, as I have shown, higher than it was ever intended by the framers of the Dingley law. Why is it not? There has not been a gentleman on the floor of this House—not one—who has been able to demonstrate to his own satisfaction that the reduction of 20 per cent will injure actually—now, I will use the word “actually”—the beet-sugar industry. No man has come here and said that to reduce the sugar tariff on the competitor of beet sugar from 1.70 or thereabouts down to 1.40 or thereabouts did not leave overwhelming protection on that sugar.

I may be allowed, I imagine, to refer to an incident that was a very striking one in the course of the debate here in the conference. A gentleman sitting right up there behind me from one of these beet-sugar States interrupted me to inquire whether this reduction would lower the tariff on sugar so as to make it too low in point of fact or whether sufficient protection would remain. And then he said that which has never been answered by a single advocate of the position on this floor of the opposition to this bill—he frankly said that was the whole question. Railing at members of the House of Representatives because at some time they voted for 1.70 on sugar and now want to cut it down to 1.40—I am using round numbers—and yet refusing absolutely to even say that, in their judgment, the 1.40 a hundred on sugar is not sufficient protection against all the world. I challenge gentlemen to prove it. If you have got an industry that can not stand a protection of that sort of ad valorem or that degree of specific duty, you have an industry that is weaker than, in my judgment, the beet-sugar industry stands to-day. I do not believe that any intelligent man, conversant with the sugar industry, believes that 20 per cent reduction does not leave ample, generous, and sufficient protection. Tell me, somebody who has got the equal of that, what agricultural product has got the equal of 1.38 on a hundred pounds of sugar? Where is it?

Mr. TAYLER of Ohio. Will the gentleman allow me a question?

Mr. GROSVENOR. Certainly.

Mr. TAYLER of Ohio. Does the gentleman think that the only question involved in this case, as related to the beet-sugar people, is whether or not a reduction of 20 per cent will injure that industry because of a lower tariff affecting the price of sugar?

Mr. GROSVENOR. I recognize that as one of the questions involved, because that has been discussed here.

Mr. TAYLER of Ohio. I remember the incident to which the gentleman refers, when he was interrupted by the member from Wisconsin, and I understood him to say in reply to that interruption that that was the only question—can the beet-sugar industry stand a reduction of 20 per cent?

Mr. GROSVENOR. That is the only question when gentlemen announce that the reduction is an abandonment of the principles of protection; there is nothing left but that one great question in the case. And my colleague, when he has denounced men here who have grown gray in the service which he has more recently entered as having abandoned the faith of their party, that question may be called up to show that the protection that we leave upon all sugar is not only high but ample and sufficient. Protection does not mean speculative conditions. Protection means a money difference between the cost value in this country of the commodity in competition and the cost value of the commodity imported from a foreign country; and when that protection is adequate and sufficient no man has a right to go to talking about speculative prices and higher protection than is absolutely necessary for the purpose.

Mr. HENRY C. SMITH. Now, if the gentleman will pardon me, I have not seen any ghost and I don't want to make any assault upon the gentleman, but I ask the gentleman if, in his opinion, the beet-sugar interests would not suffer, why it is that the State of New York, which the chairman, Mr. PAYNE, represents, pays a bounty for the production of sugar of one-half a cent a pound?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HENRY C. SMITH. I ask that the gentleman's time be extended to finish his remarks.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time be extended to finish his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. The gentleman from Michigan, in the interest of fair enlightenment of myself or himself, asks me why it is, if there is abundant protection left on beet sugar, that the State of New York gives a bounty of half a cent a pound upon all the beet sugar produced in that State. Now, in the first place, to make that a pertinent inquiry pending a proposed reduction of the tariff here, it would be wise to know whether in the passage of that bill they have been actuated by this threat of reduction or whether it is a bill that was passed a good many years ago. I am unable to answer that question.

Mr. PAYNE. It was passed some time ago and amended this year.

Mr. GROSVENOR. Now, then, the next answer—

Mr. HENRY C. SMITH. It was passed within two weeks, I am told.

Mr. GROSVENOR. Oh, no; it is an old law. I know enough about the subject to know that. Nobody who is intelligent is scared on that question; I can tell you that. Before I get through I should like to hear the gentleman from New York [Mr. PERKINS] on that matter.

Mr. PERKINS. If the gentleman will allow me now, I will say that the law of the State of New York which gave a bounty of one-half a cent per pound on beet sugar was passed several years ago; and I would like to inform my friend from Michigan [Mr. HENRY C. SMITH], as bearing on this question, that at this very session of the legislature of the State of New York, notwithstanding the pendency of the bill now before Congress, a Republican committee, headed by Senator Raines, reported to the Republican Senate a measure which I doubt not will be adopted, the purpose of which is to reduce the bounty from one-half a cent a pound to one-quarter of a cent. And the committee of which Senator Raines, a Republican is chairman, said that in their judgment the entire bounty was wholly unnecessary. So there you have Republican doctrine on this subject.

Mr. GROSVENOR. Now, my friend from Michigan has got the answer, and I commend it to him. But I want to give him another question. Let him tell me why—

Mr. PAYNE. Allow me to say right here that Senator Raines represents the two counties in my district that produce the most beets and in which a beet-sugar factory is located.

Mr. GROSVENOR. Oh, the truth is coming out. People are getting awake to this situation. Why does Germany, with a prosperous condition of her beet industry, pay a great bounty for the production of the sugar-beet product? And why do a number of other countries in Europe do the same? I can tell the gentleman why. It is not to make the industry profitable to the beet-sugar producer, but for the avowed purpose of producing sugar so cheaply as to overwhelm the product in this country and to force their product upon our market at a lower price than we can produce sugar. And that outrage has been abrogated by the action of the Brussels convention.

There you have two answers. In the one case the State of New York does not feel that the bounty is required, and in the other case the foreign country pays the bounty, not to promote a fair profit to the producer, but to place it in the power of the German exporter to overwhelm the American producer.

Now, let me go on. Somebody was discussing here the other day about whether the tariff was paid by the consumer, and he wanted to know what we had to say about that old stale dogma of the free-trade Democracy. Well, I will tell him what we have to say about it. So far as it may concern 150,000,000 pounds, or whatever the amount may be, of sugar-beet product, and so far as it may concern all of the Porto Rico and Hawaiian and Louisiana product, we do not pay that duty. The importer who brings the sugar here pays that duty; but when it comes to the million and a half tons of sugar that we have to import from other countries, the consumer pays the tax. Why, sir, that is the simplest thing in the world. The consumer pays the tax on every pound of tea that has a tax on it, and the consumer pays the tax on every pound of sugar that he is compelled to buy from the foreign country. The gentleman from Michigan made this whole subject absolutely clear in a speech which he made on this floor.

So, then, we say to the American people, “We will tax you \$1.38 on every hundred pounds of sugar;” and the people of this country will say to the gentleman, “That is a sufficient and generous protection.” There is not a man here, from those who advocated this question before the Ways and Means Committee and whose testimony is in print down to the point where these gentlemen so eloquently argued in favor of their own local interests yesterday; not one of them has pretended to say that \$1.38 a hundred pounds is not ample protection.

Now, what do they say? What they say has truth in it; what they say has force in it; and if it can not be met by some just reply, it ought to have weight with the House of Representatives. They say, "That is all very true; but you promised in your platform, and GROSVENOR made a promise in a report he made to the Ways and Means Committee, and GROSVENOR made a speech in the House of Representatives, and Mr. PAYNE, of New York, and Mr. DALZELL and everybody else made promises; and now what we are afraid of is, not that this \$1.38 a hundred pounds is not sufficient protection, but that somebody will be afraid and will not invest his money in this branch of industry."

Well, gentlemen, it is a new argument, it is a new line of operations for the Congress of the United States to be indulging in, that because somebody somewhere wants to go into a nonprotected industry, Congress must in the first place put an unreasonable duty upon the product in order to stimulate the introduction of these gentlemen into the production of this new commodity, but must afterwards see to it that no change of condition shall ever frighten the timid souls who are engaged in the beet industry. I venture to say that there is not one man with money who in good faith ever intended to invest his money in a beet-sugar factory who has been staggered one jot or tittle by the probabilities of the passage or nonpassage of this bill.

Undoubtedly some men will drive hard bargains. Undoubtedly some promoters will strike somebody in New York who will say, "We are going to hesitate; we will not do it until you raise the terms and do better by us." But when there is some beet-sugar factory controlled by an intelligent corporation or individual that has undertaken actually to make preparations to close its business for the year 1902, lest this 20 per cent reduction shall take place, then I will consider the subject, and not until then, and then what shall I say? I will be compelled to say that protection is asked for to an extent that is unjustifiable. If you have an industry that must have such a tremendous protection as that, then your industry is not justifiable, and Congress has no right under the conditions that surround us to refuse to do what is the plain duty of the Congress of the United States. But such is not the case.

Now, Mr. Chairman, I have left unsaid a great many things that I had intended to refer to. We stand upon the brink, as it were, of a proposition fraught with political consequences, none other. Why, I will stop here to say that a few days ago I met a young lady not over 17 years of age, the daughter of a former neighbor of mine, a resident of one of the cities of Michigan, where the beet-sugar industry is largely in operation.

Mr. HENRY C. SMITH. If she was the product of a beet-sugar country she was a sweet girl.

Mr. GROSVENOR. Well, she is a sweet girl, let her come from any country.

Mr. HENRY C. SMITH. I inferred that, or you would not have been interested in her.

Mr. GROSVENOR. She was the daughter of an old neighbor of mine, and as soon as she met me she attacked me. They have them all organized up there. She said I was an enemy of the sugar-beet industry, and she went for me nearly as hard as some of these Republicans have been going for me in this House, with a little more good sense and judgment than they have manifested. [Laughter.] Well, I said, "What sort of an industry is that which you have got up there?" Her father is a man of substance, and I found that he probably had an investment in the stock of one of the companies. "Why," she said, "there never was anything like it in the history of Michigan." She said, "They broke up our salt industry, comparatively; the lumber industry failed; but we started this beet industry three or four years ago in the neighborhood where I live, and there is not a mortgage on any farm in that county. Everybody is getting rich. You never saw the like. They are building splendid houses and driving splendid carriages, and now you are trying to take that all away from us." I said, "My dear, sweet little friend, go back to Michigan and tell your people for me, for I seem to have been marked out for execution, that the whole trouble in this case comes of a stampede that may be a damage to that industry that never would have been thought of if your Representatives in Congress had quietly passed the 20 per cent and said nothing about it. In that case you would never have heard that it was passed." I do not know what she will say. I shall steer clear of that locality until I get a more favorable report than I could have gotten from her on that particular occasion to which I have referred.

Now this question must be decided. I predict that it will strengthen the doctrine and the principle and the immutability of the position of the Republican party in favor of a protective tariff. I do not believe that this is a break in the doctrine of protection; and until somebody can show me that this high protective duty is not a protection to American industry, I will not stand silently by and be charged with bad faith to the principles of my party.

I believe that this bill will pass. I believe that the American people stand to-day, 95 per cent of them, in favor of this much concession to the people of the island of Cuba. I do not believe that the people of the United States desire that we shall deal so harshly with Cuba as to force her into the Union of the United States, and I do believe that to adopt an amendment that proposed to demand practically of Cuba that she permit herself to be annexed to the United States is a repudiation of all the promises we ever made to Cuba, and a stultification of patriotism and common sense. When Cuba gets ready to come, we will recognize what the President said at Charleston last night. We will recognize that she stands in a different relation to us from any other foreign country, and we will deal with her to the best interests of the people of that country and to the honor and intelligence of the American people and the glory of the American flag. [Applause.]

Mr. WEEKS. Mr. Chairman, I know there are those in the House to-day who will think it exceedingly presumptuous for me to attempt to reply to the distinguished gentleman from Ohio [Mr. GROSVENOR], and I wish to say at the outset that I am not trying to play the rôle of replying in full to the argument of the gentleman. However, the gentleman gave me the cue to some preliminary observations which I desire to recall for a moment before I proceed.

It is now conceded that the question pending before the House is no longer a party political question. The distinguished gentleman who just criticised some of the younger members of the House in language not altogether sweet and tasteful, acknowledged here that no man was to be criticised for the opinions he might see fit to advance in this debate. And I wish to call the attention of the House to the fact that that policy has been clearly and emphatically adopted by the Republican and also by the Democratic side of the House. There is no party line drawn in this discussion. Every man has the right, according to his light and his own conscience, to give expression to his views upon the great question which this House is trying to settle.

I want to say to the distinguished gentleman, and also to the House, that I do not belong to that class of youthful Republicans to whom the gentleman refers. I do not belong to that class of younger statesmen who believe that the schedules of a tariff law are written, like the laws of the Medes and Persians, never to be changed. I believe, too, with the distinguished gentleman from Ohio [Mr. GROSVENOR], that tariff schedules are to be altered to suit the exigencies of the times, so that there is no dispute upon that question between the gentleman and myself.

Now, when the gentleman first began his address, he took many of us newcomers in the House far back in Republican political history and legislation. I thought at one time that he was about to give us a history of the coon-skin political campaign in Ohio of 1840, but he got this side of that after a while and began with the early history of tariff legislation by Congress and the tariff policy of the Republican party. Now, it was exceedingly interesting as history; but, Mr. Chairman, it lacks interest just at this time. The ancient history of tariff legislation in this House may be curious to the man who has time to sit down and read it over, as a matter of literature merely, but we are dealing with the questions of to-day and of this year, not of ten or twenty years ago. Now, in order that we may not get very far away from our moorings, I wish to read from the Republican platform of 1896 upon this question which we are now talking about. I want to ask you how this resolution would sound if we should go to our next national convention and incorporate it in our platform.

We condemn the present Administration for not keeping faith with the sugar growers of this country. The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than \$100,000,000 annually.

Now, that is a very clear statement of political faith on the side of the tariff for the protection of sugar. As the Good Book says, "The wayfaring man though a fool can read," and understand exactly what was said and what was intended by the national convention of the Republican party at St. Louis in June, 1896.

Four years passed, and in 1900 this same great party met again in convention, and again it spoke upon this question; and I will not stop to read the section of the platform in full, but on the question of protection it was enough for the party to say this:

We renew our faith in the policy of protection to American labor. In that policy our industries have been established, diversified, and maintained.

There were other things said in regard to the protection of labor and industries, but ending up of that section or paragraph of the platform was this:

We favor the associated policy of reciprocity so directed as to open our markets on favorable terms for what we do not ourselves produce in return for free foreign markets.

There is no misunderstanding that. When the framers of the platform wrote that sentence the Spanish war had been fought

and ended. "Conditions," some of my friends in the House assert, "have changed." They had changed. At the time that platform was written these conditions which have so changed things had come upon us and the Republican party met the new situation which had been thrust upon the country.

That, Mr. Chairman, may not be enough, standing alone. Let us see how the Republican party officially interpreted these two platforms in 1900, and how my good friend who sits before me, the eloquent orator from Indiana [Mr. LANDIS], and other good friends, many of whom I see before me, who went upon the platform and upon the stump in their Congressional districts—let us see how they read to their Republican constituents. I read from the Republican text-book of 1900. Now, what did we say at that time, and what did our party say on this particular subject? Let us see who is getting away from our anchorage. I read from the text-book:

The farmers of the country have been encouraged by the Republican party in their ambition to produce the sugar of the country.

We had ended the Spanish war and were in possession of Cuba. There was just as much likelihood then that some day Cuba would apply for annexation to this country as there is now. It had been talked of for seventy-five years as not only a possibility but a probability, and we were "up against it" then just as much as we are to-day; and yet what did we say:

The experience of other nations and other parts of the temperate zone has shown that sugar can be produced from beets in great quantities and at very small cost, and can successfully compete with cane sugar under the most favorable circumstances. Under the stimulus given to the beet-sugar production by Republican legislation beet-sugar factories sprang up all over the United States, and the production of beet sugar has already reached large proportions and is increasing with wonderful rapidity.

Now, what did I say about the Republican party giving the farmers protection? When I got on the stump and read that, I called their attention to the declaration of the Republican party. I went further, and read in this official text-book of the party. I do not know who got it up, whether it was Colonel GROSVENOR, Mr. DALZELL, or Mr. PAYNE, or who it was, but somebody, some leader in the Republican party, got up this text-book and put it in my innocent hands [laughter] and led me astray. I read on:

The first thought that came to the minds of the farmers when the events following the war for the liberation of Cuba brought under our control certain tropical areas was whether or not the possession or control of tropical territory by the United States would injure, or perhaps destroy, the opportunities which they believed they had almost within their grasp for supplying the \$100,000,000 worth of sugar which the people of the United States annually consume.

That is what we have been talking about here—that hundred million dollars' worth of sugar. Now we proceed to relieve the distressed feelings of our agricultural friends by telling them that having taken that into consideration as our "first thought"—

In other words, it was a distinct promise to the farmer that he need not fear that the Republican party would permit the cheap labor and cheap sugar of any tropical territory to be brought in in a manner which would destroy the infant industry of beet-sugar production, which the farmers of the United States have, under the fostering care of the Republican party, been building up during the last few years.

I want some gentleman on the other side of this question to tell me how I am going to explain myself to the Republican farmers of my district, having preached this doctrine, put into my hands by great leaders of the Republican party, upon the stump and upon the platform. [Laughter.]

Now, Mr. Chairman, upon these pledges—and I will read some more of them, because they are exceedingly interesting literature—have we been misled. Last night some kind friend sent to my house a card, upon which a lot of statistics were printed, and I have cut out some of them, conceiving that they might be useful to-day.

We have heard about the great leader on the floor of this House—Nelson Dingley. In 1897 he is reported to have said:

I believe that the time has come when the production of our own sugar from the beet ought to be and can be successfully entered upon.

There is another encouragement from a man that the Republicans of my State venerate, whose memory is sweet to the Republicans of Michigan—Nelson Dingley—and they took him at his word.

Then again in 1897 (that is not so very long ago) Congressman PAYNE, who has been quoted before on the floor of the House, said:

We propose to raise beet sugar and cane sugar enough in this country to supply all of our 73,000,000 people. We will not disturb our tariff in the next quarter of a century.

What on earth did he say that for? Why did he put that language into my mouth when I went out before my constituents and said, "The leader of the Republican party on the floor of the House says this tariff schedule shall not be disturbed in a quarter of a century; invest your money; devote your acres to sugar beets. When the great Republican leader, SERENO PAYNE, says, 'We will not disturb that industry by altering the tariff schedule in a quarter of a century,' you may depend upon it."

No; I am not one of those men who believe that tariff schedule

is a "fetich to be hugged forever to our bosoms." I do not believe that, but I do believe in standing consistently by such a proposition as that long enough at least for it to get seasoned.

What did the farmers do when these splendid promises were given us in platform, through our leaders in this House, and by the enactment of the Dingley tariff law? Why, availing themselves of the splendid soil and the splendid opportunity, we all put our money into beet-sugar factories. What did we do up in Michigan?

I want to show you something right here about the growth of the beet-sugar industry. In 1890, when the McKinley law was passed, we only manufactured about 2,800 tons of beet sugar in the whole United States. In 1896, when we put forth that first splendid pledge, which I read to you some time ago, the total product of the beet sugar in this country was only 40,000 tons.

Why, it was a dewdrop in the morning when compared with the gross amount of sugar consumed in the country. When we adopted that platform, 40,000 tons of sugar was the total product of the United States. The next year, in 1897, when the Dingley tariff law was enacted, we only produced 41,000 tons, or thereabouts. When these promises were fairly before the people, they began to invest; they built factories all over the United States, and so the splendid progress, as indicated by the red lines on this chart which I show you, in the development of that magnificent industry was made. From 1897, when the Dingley law was passed, when we only produced 40,399 tons as a total product of the country, because of these tempting promises made by the Republican party we went on until, in 1900, we had increased the output of sugar in the United States to about 76,859 tons.

Not only that, but the thing went on. This agitation had not yet arisen, and in 1901 statistics show that we had increased the product of sugar in the United States to 185,000 tons. There is the result of the Republican promises and pledges to the farmers and the capitalists in my State and in California and a few other sections of this country. I hold in my hand a table showing that since the Dingley tariff law went into operation there has been invested in the beet-sugar manufacturing industry in buildings or plants to manufacture sugar \$31,977,550. What invited that immense amount of capital into that investment? What induced people to invest their money in that enterprise? It was their confidence in the declarations of the Republican party, which up to this hour I have always declared never broke its promises to the people.

Now that may be used against me, as the distinguished gentleman from Ohio has said, in my district. But I would that he or any other man would go there and attempt to use it. Go into my district; tell the people that I stood up here and opposed the Ways and Means Committee—aye, the President of the United States—in an attempt to change these provisions of a wholesome tariff law, as affecting this industry in my State, in my district, in my city; tell it to them, and I will thank you for it. I have no fears on that score. [Applause.]

Mr. Chairman, I want now to call attention to another thing. Those who have spoken for the other side of this proposition are constantly saying, "Show us that this beet-sugar industry is going to be injured by this reduction of 20 per cent of the Dingley tariff." Here is a table showing that \$49,000,000 of capital, waiting investment in this same business, is now held up by the action on the floor of this House.

Is that an injury or is it not? There [pointing to the paper] is the name of the State. There is the name of the city or town where it is proposed to build, by capital now organized and ready for investment, factories to go into the business of manufacturing beet sugar with an investment of \$49,000,000. In excuse for my earnestness and the earnestness of my Republican colleagues from Michigan, I want to ask you to look at that table. There is what is waiting in Michigan. More than a third of all that \$49,000,000 is waiting in my State.

We have progressed in Michigan in such a marvelous way that it may seem like boasting to stop here and tell you of it. This is why the members from that State are interested in this subject. Our people are interested. We are manufacturing to-day 75 per cent of all the sugar consumed in Michigan. We are manufacturing a third of all the beet sugar produced in the United States.

I wish I had here the pictures that I brought to the Republican conference—not caucus—and put on exhibition one night here—the pictures of a dozen great plants that averaged in their investment \$600,000 each. There are the reasons for our earnestness.

There are thirteen such reasons within 80 miles of my house—sugar plants in active operation, and, I was going to say, successful operation. I hope I may say so hereafter. One or two of them have paid a dividend up to the present time. We have just arrived at the point where all these sugar factories might have been a paying and successful investment. But now, with this disastrous measure held over them, it is a very grave question whether any of them will pay dividends.

Now, with these reasons surrounding me and these other reasons which it is proposed to put up in the State of Michigan, I think the man who, representing a district in Michigan, would come here and falter for one instant as to his duty in this matter should never show his face within these four walls again. So much for the sugar interest as I see it and know it.

I have some observations to make now of a general character in regard to this movement—how it came into this House, etc. We all know that during this entire session there has been an intense interest, not only here but everywhere throughout the country, in this question of the reduction of the tariff on Cuban raw sugar. The question came before Congress upon the suggestion of the President in his first message to this body. At once, on the appearance of this message, the people of the whole country took it up and began to discuss it among themselves. The idea among the people seemed to be that this was a question which demanded the consideration of everybody. What did it involve? How did it look to the Republicans, we will say, of my district, who may be considered as representing the average people of the country? How did it look as a question involving an abandonment of the principles of protection to American industry and the opening up of the question of tariff revision.

Now, does anybody think that I am misstating that? It involves an abandonment, in some degree, at least, of the doctrine of protection to an infant American industry. There is no question about that. The gentleman from New York [Mr. PAYNE] and the gentleman from Ohio [Mr. GROSVENOR] insisted that it was not an abandonment of the doctrine of protection. Well, it was not an entire abandonment. I believe it is claimed by the chairman of the Committee on Ways and Means that it leaves about 57 per cent protection upon the industry after the 20 per cent is taken off.

Let it be conceded that ordinarily a 57 per cent protection is a very large degree of protection, but when you come to apply that to the actual state of facts which exists in my State and in other States in regard to the beet-sugar industry, any man who rides over the roads of my district or State can see at a glance that it is the fear of that reduction, as much as anything else, which paralyzes the prosperity that that business possessed.

You may take any industry in this country that is well protected, and let Congress take up and seriously discuss the question of taking off some of the protection of that industry, is there not a panic there at once? Does not the man whose capital is invested in that industry feel sorry that his money is there? Can you get men to pay their assessments upon stock as readily in an institution well protected which to-morrow is to lose part of that protection? That is the way our people look at it.

The second proposition the people thought they were up against was this: That it is a violation of pledges and platforms of the Republican party of 1896 and 1900. Now, my distinguished and eloquent friend, General GROSVENOR, for whom I entertain great respect always, says his present attitude is not at all inconsistent with those platforms. Well, now, I remember reading in Huidibras, one of the old English classics, of a man who could "by force of argument prove that a man was no horse," and I say that my distinguished and venerable friend makes an idle argument when he attempts to show that we are not, by removing part of the protection upon the beet-sugar industry, violating the pledges which we made to those who followed our advice and invested their money in that industry.

The people also thought that it was a new interpretation of the principle of reciprocity—and I will touch upon that in a moment—but the one thing they thought of as nearest to their interests was that it was an unfair discrimination against a great and growing industry in many States of this Union. Now, take the question of whether this was a new interpretation of the doctrine of reciprocity. To me (a young statesman, as the distinguished gentleman from Ohio [Mr. GROSVENOR] would have it) it looks as though it scarcely admits of an argument. Reciprocity has been defined so many times and by such distinguished gentlemen that it seems idle to spend time upon the floor of this House in attempting to give another definition.

McKinley in his last speech at Buffalo defined reciprocity, and what did he say it was? "A sensible trade arrangement between two nations which will not impede our domestic industries." Charles Emory Smith, Postmaster-General at the time, I believe sat by his side, and he later made a speech in which he alluded to this same doctrine of reciprocity. He defined it exactly as the President did—"a sensible commercial agreement for the exchange of commodities, which would not in any way impede or injure our domestic industries." He instanced like this: "Brazil raises coffee and we raise no coffee. We make machinery and Brazil makes no machinery. They want our machinery; we want their coffee. We agree to exchange. That is reciprocity."

So said Charles Emory Smith, I think, in the presence of the President when he made his speech. Afterwards Mr. Smith

made another speech along the same line before the Boston Merchants' Association on December 10, in which he said: "Reciprocity does not mean the sacrifice of one industry in order to help another; it does not mean the loss of the greater domestic market in the hope of gaining the less foreign market. President McKinley safeguarded it when at Buffalo he advocated sensible trade arrangements which will not interfere with our home productions. This is the touchstone. With this qualification reciprocity is wise; nay, more, it is practicable; nay, more, it is essential, looking both to progressive public sentiment and to trade requirements of the future."

Now, the "reconcentrado" and the "insurrecto" and the "insurgent" in this House subscribes to that. I am one of the "insurrectos;" I subscribe to that. I also subscribe to what President Roosevelt said very recently in his message to Congress when he gave his idea of what is meant by reciprocity. Here is what he said: "Reciprocity must be treated as the handmaiden of protection." Ah, how often that sweet sentence has been turned over under the tongues of our distinguished leaders in their debate on this question—"reciprocity is the handmaiden of protection." Well, we think so, too, and so did the President, and here is the way he said it:

Our first duty is to see that the protection granted by the tariff in every case where it is needed is maintained, and that reciprocity be sought for so far as it can safely be done without injury to our home industries. Just how far this is must be determined according to the individual case, remembering always that every application of our tariff policy to meet our shifting needs must be conditioned upon the cardinal fact that the duty must never be reduced below the point that will cover the difference between the labor cost here and abroad. The well-being of the wage-worker is the prime consideration of our entire policy of economic legislation.

Subject to this proviso of the proper protection necessary to our industrial well-being at home, the principle of reciprocity must command our hearty support.

Now the "reconcentrado" says "Amen." We subscribe to that doctrine. So we are not "outside the breastworks" on that question. I read a very interesting article a few nights ago in one of the leading magazines of the country on this subject of reciprocity, which I think ought to meet the approbation of us all. This article is from Gunton's Magazine, recognized by all as a leading magazine on economic questions:

#### RECIPROCITY AGITATION.

Reciprocity, like protection, should be adopted only in the interest of national welfare. It is not in the interest of national prosperity to adopt a policy that shall merely promote the interest of one industry by sacrificing that of another. So far as public policy is used at all, it should be used for the development of all domestic industry, both manufacturing and agricultural. Foreign trade, if it is acquired, should be acquired by the development of perfection and superiority in our domestic industries, so as to overcome foreign competitors by competition, but never by a special bargain that shall sacrifice or injure another domestic industry.

Before the manufacturers of this country give themselves over to the reciprocity movement they had better stop and count the cost, consider the influence, not upon the stove factories or the plow factories, but its influence upon the domestic industries of the whole country. They must remember that if favors are granted to one they must be granted to another and another and another. In fact, one concern has just as much right as another to ask the Government to buy its right of free entry into some foreign market by adding its neighbor to the free list. The only logical outcome, in fairness to them all, would be to put them all on the free list, which would, of course, accomplish the highest ideal of those who are most ardently promoting the reciprocity movement.

Before the people of this country commit themselves to a business-disturbing agitation on this question, in the name of reciprocity, it would be well for Congressmen to pay some attention to our experience in this direction. If the subject were frankly presented as a movement to revise our tariff and pare down our protective policy, there would be little danger from it, because the people would promptly relegate it to the rear. The American people to-day would refuse to consider any such business-threatening proposition as a free-trade or tariff-for-revenue experiment. The term reciprocity, however, is a taking phrase. When it is presented in the interest of American industries to promote our foreign trade, "by reciprocal relations beneficial to both," the subject assumes a plausible seeming. In the hands of the enemies of protection such a propaganda may easily be made a cover for a dangerous innovation into our protective policy, and before we are aware of it deal a mortal blow to our national prosperity.

This article illustrates the fact that the best writers on the subject agree with the "reconcentrado" on this floor that reciprocity is an exchange of commodities differing one from the other, not of the same commodity raised in the two countries to come clashing in competition together.

I desire to make a few remarks upon the question, as I view it, of our moral and legal obligations in this matter. I never believed that the people of the United States were indebted to the people of Cuba.

I always have maintained and still maintain that all the obligation is on the other side. We owe them nothing. They owe us their national existence and their hope of prosperity in the future. If we had not interposed at that critical time in her history and stricken the shackles from her limbs which Spain had fastened there, where would have been her prosperity to-day? And because our generous and whole-souled people did that at the expense of millions of dollars and hundreds of lives, ergo, say some of our distinguished leaders, we ran ourselves into a load of debt. I supposed when an act of that kind was done the indebtedness ran the other way, and that the obligation was upon the

party that had received the benefit and not the party that conferred it.

So that I repudiate the idea that we are under any obligations. Why, I have a mind to refer to the fact that by and by there is going to come before this House a bill to provide for the irrigation of the arid lands of the West. That bill is going to be pressed by gentlemen upon the floor of this House who tell us that our great moral obligation to Cuba demands of us that we shall put this legislation upon our statute books.

Suppose we should turn upon those advocating that bill and say, "Our great moral and legal obligation to the Piutes, the Navahos, and the tarantulas, and the rest of them out on those desert lands is so great that we can not fail to recognize the fact that when we civilized those people, when we attempted to give them an education and did all those things for them we owe them something, and we can not take from them their beloved desert of rock and sand but leave them to enjoy their happy homes just as God gave it to them." Suppose we should meet the presentation of that bill with an argument of that kind. We are under just about as deep obligation to Cuba in respect to what we have done in her behalf as we are to the Navahos and the tarantulas (big spiders) out there in the arid lands.

Now, I want to speak of another thing just for a moment. Where, under the broad canopy of the sky, arises our moral and legal obligation to Cuba? "Oh," said the very distinguished gentleman from Ohio [Mr. GROSVENOR], "I will go as far as any gentleman can in telling what a dead man has said," or something of that kind, and proceeded to tell us about that impecunious delegation that came up here from Cuba, and went to the White House to ask the President to give Cuba six or eight million dollars by way of reduction of the tariff.

President McKinley was one of those happy dispositioned men who never let a visitor go out of his presence without feeling that he had grown an inch taller while he was talking with him; and these impecunious Cubans, who came with outstretched hand of beggary, nothing else, caught the idea because the President was so gracious and kind that they had obtained his promise. They went back and they exaggerated and misrepresented the matter and told the Cuban people that President McKinley had promised them that he would do so and so.

Now, think of that for one moment. President McKinley could make no promise. He could not arrogate to himself the powers of this Congress and say to those Cuban emissaries, "I will do so and so, or I will see it done for you." He had no authority to make such a promise, and if those Cubans had known anything about the structure of our Government and the powers of the different departments—the executive, the legislative, and the judicial departments of the Government—they would have known that President McKinley not only did not but could not make any such promise to them.

Now, upon such a light foundation as that this whole structure of moral and legal obligation is built up and advocated by dignified, learned, and great statesmen on the floor of this House. I may be young in the House, but I have had some years in the business of the law, and other places. I think I know better than that; and he must be a statesman "yet moist behind his ears," to quote my distinguished friend from Ohio, who will accept such a foundation as that for a contract of this great nation to do what they are urged to do to-day for Cuba.

One other point that I desire, Mr. Chairman to call to the attention of this House, and that is this: The exceedingly weak foundation on which is built the demand upon this House. Upon what does the President place his policy. Why, his recommendation reads, it is based upon—

"weighty reasons of morality, of national interest" why the policy should be held to have a peculiar application, and I most earnestly ask your attention to the wisdom, indeed to the vital need of providing for a substantial reduction in the tariff duties on Cuban imports into the United States.

Then the Secretary of War, for whom I entertain as great respect as any man in this House; what is the foundation he places it upon? He makes his recommendation upon the proposition that "the chief hopes of future prosperity of Cuba are to be found in its commercial relations with the United States, and the prosperity of Cuba depends upon her finding a market for her products—sugar and tobacco—at a reasonable profit in this country."

The military governor of Cuba bases his suggestion on the statement that it was "the great desire of Cuba to obtain such a reduction on her imports into this country." They are all the time talking about the Cubans. The President-elect of Cuba put forward his recommendations on the ground that "the prosperity of Cuba depends upon the attitude of the United States toward the new republic and the moral obligation of this country toward Cuba."

Thereupon a great clamor was heard, the beating of tom-toms and Chinese drums in the newspaper centers. The newspapers began to demand that we should "make laws for the benefit of

Cuba." Now, do you not remember reading it, that "we must make laws for the benefit of Cuba?" And right here I want to say that I deny the power of this Congress to make laws for the benefit of any people except the American people. We are not sent here to make laws for the benefit of the people of Timbuktu, or Cuba, or any other people, except our own possessions, our own people, and our own countrymen.

Mr. THAYER. Will the gentleman allow me to ask him a question?

Mr. WEEKS. Certainly.

Mr. THAYER. Do you think that the Republicans were sent here to make laws in direct opposition to the wishes of the President of the United States?

Mr. WEEKS. The President has no more right to tell this Congress what laws shall pass than I would have to go down and tell him who he is to make a member of his Cabinet. That is a straight answer.

Now, I consider the most lamentable part of what I have read to be this: That while the President and Secretary of War and Governor Wood and the president of the Cuban Republic—who has not been on the island for twenty-five years and who has not started for the island yet—all place the obligation of the United States solely upon what the Cubans desire and the Cubans wish, and what is necessary for the Cuban people and their prosperity, but not one word as to what the people of my State and the people in California and Washington and Illinois want in the premises. They seem to have forgotten, one and all, that there is somebody else interested in this thing besides the Cubans.

I spoke a moment ago about the clamor set up by the newspapers. There is nothing new in that sort of thing in the history of American politics. You remember the clamor that we had at the time the Porto Rican tariff bill was before us.

There has been an immense deluge of pamphlets showered upon Congress and upon the people of this country, demanding of us to "do our duty toward Cuba."

Back on the quiet farms of Michigan and Illinois, Minnesota, Wisconsin, and far-off Washington and California, the plain American farmer was reading this literature, these campaign pamphlets that has showered and deluged us, and that were being hurled and rained upon us, and he was asking, "Who puts up the money to pay for this expensive business?" for it must have cost hundreds of thousands of dollars. Did the poor Cuban pay it? Where did the money come from?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MCCALL. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to conclude his remarks.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the gentleman may be permitted to proceed until he concludes his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. WEEKS. I will only occupy a moment or two more. I have got much to say, but I do not wish to exceed my time to any great extent. I was asking whom do you think put up the money to pay for that expensive pamphleteering and pictorial campaign? I had the curiosity to send up to New York to get quotations of the sugar stock in the New York Exchange, and I found that from the 2d day of January to the 3d day of April the stock of the sugar trust had been gradually rising in that market from 117 to 132½, and is higher than that within the last few days.

Every day that there appeared to be a prospect in this House that the opponents to this bill might succeed the stock went down a point or two, and the next day it went up again, and has been going up; and an expert has made the calculation upon the stock for me and tells me that there has been over \$600,000 profit made upon speculation in that stock because of the agitation in this House and because of the expectation that the sugar trust is going to be the beneficiary of this whole business.

Before I forget it, and in closing, I want to suggest another thing, that the difference of opinion which exists among Republicans on the floor of this House is not such a difference of opinion as will separate us from our leaders hereafter. This is not a political question. It is not a party question. The conference left all of us Republicans to our own consciences, whether we would support this bill or not. The Democrats have done the same, and we stand here each man on his own responsibility to his conscience and his constituents, and no one else.

Now, this difference is due to the fact that some of us claim that this measure will injure the beet-sugar industry, while others claim that it will not. That is all there is to it. I have attempted to show you that the beet-sugar industry is suffering to-day, and I could give you individual instances. I could tell you that in my own city one of these great factories is attempting to negotiate a loan upon its bonds for a working capital, having completed a plant costing \$600,000, and that the capitalists who stood ready to furnish the money before this agitation began have withdrawn from the negotiation and refuse to advance the money. Does

that injure the town? Does that injure the factory? Does that not embarrass my constituents? If it does not, I don't know anything about that kind of business.

The Ways and Means Committee contend that 20 per cent reduction affords ample protection to the beet-sugar industry. They claim there is 57 per cent protection with the 20 per cent taken off. Suppose it is so, you can not reduce a tariff which protects an industry which is just in the act of completing its factories, as the industry in my town is—just putting the cap, as you might say, on the smokestack and not do it injury.

This Congress says: "You are too much protected; you put your \$600,000 into this factory on the faith of what we had placed upon the statute book; you put this great pile of stone and frames of iron up, and this immense and beautiful chimney, an ornament to the city; you built that on the faith of what we had placed on the statute book, but we are going to knock it down." And you gentlemen tell me that this does not injure an industry in my town. No matter what my friends in this House may think or say on this subject, it is my firm belief that any reduction of the tariff on sugar will operate to the disadvantage of the beet-sugar industry, and, so believing, I am constrained to vote against this measure.

Now, I ask any man on the floor of this House, whatever his attitude may be on this question, Do you believe that this legislation is going to help the beet-sugar industry? It is not a neutral thing; it injures or helps—one or the other. It is a more or less violent change in existing law affecting a new industry. It will either hurt it or it will help it. Which do you think it will do? I think it will hurt it. You may talk about the "differentials," and the "kaleidoscope," and the "polariscope," and all these other scientific instruments and things, and the "percentage," and the "Dutch standard," but you never can make me believe that this legislation will simply allow everything to remain in statu quo.

It is going to hurt it or it is going to do it good. Which do you think it will do? I am not able to weigh or measure the amount or degree of injury it will do; I do not seek to. I do not reduce that injury to a question of ounces or dollars, but I know it is going to be an injury. But, Mr. Chairman, I object to it largely because it is an unjust discrimination against one industry. I said a while ago that I was not one of those who believed that the tariff schedule was to endure forever. I do not believe the sugar schedule will endure forever. Some day there will come a change, but not now. You never could make an attack upon the beet-sugar industry at so critical an hour in its existence as right now, and now is the time you propose this legislation.

Those who oppose this legislation are willing and anxious to have their attitude fully published and made known. With that end in view, I take the liberty here to state the principle laid down in the Republican conference as a basis of our action, which was as follows:

We oppose the proposition to reduce the tariff on Cuban products coming into this country because it involves a relaxation of the protective principle. The Republican platform of 1896 condemned the Democratic party for not keeping faith with the American sugar growers; we seek not to merit for ourselves the same condemnation.

The proposition to reduce the sugar tariff is unwise and unjust, because—  
1. It constitutes, in essence, an abandonment of the protective principle, even though it removes only one-fifth of the duty imposed by the Dingley law. And this abandonment is most unhappy because applied to the pursuit of agriculture in the most conspicuous instance in which specific and manifest protection is given to the farmer, and at the moment when the beet industry is not only in its infancy, but in an infancy so lusty and promising as to demonstrate the certainty of a rapid and prodigious growth. The beet-sugar industry exhibits in the most perfect form we have yet known the most approved principles of protection.

Heretofore the farmer has been compelled to find his justification of protection, from the standpoint of personal interest, in the prosperity reflected from the industrial artisan, and in the main he has, through good report and evil, been bravely loyal.

Since our platform of 1896 gave a party's guaranty of permanence the people took us at our word, and we have demonstrated that in the beet-sugar industry we could more vividly than in any other enterprise illustrate to the American farmer on his own broad acres the beneficence of the American system of protection.

The American market for over \$100,000,000 worth of sugar annually is rightfully his. We shall encourage no policy which delays the time when he shall come into his own.

2. As to the fancied duty to Cuba because of a distress which is only apparent in the admitted fact that every man on the island has all the work he can do at higher wages than he ever before received, we have only to say that the low price of sugar is a mere business condition of temporary character, and that to compromise with it on the terms proposed is, in its interference with the policy of protection, to pay too high a price for all the good that can possibly come to those whom it is intended to benefit.

The proposition is to undertake to insure commercial and industrial prosperity in Cuba, a foreign country and a foreign government. If we undertake it, when and where are we to stop?

It is a startling proposition entirely outside of our governmental functions and our constitutional power.

Whenever we have undertaken to insure commercial and industrial prosperity in the United States, our own country, by means of a protective tariff, we have been bitterly assailed on the ground of paternalism.

Now, at the expense of our own labor, our own capital, and our own industry, and largely at the expense of a single industry, without reducing the cost of sugar to the American consumer, we are asked to extend the paternal hand to a foreign people on the ground that, having given them liberty, we are

morally obligated to secure them commercial and industrial prosperity, even at the sacrifice of our own interests.

We emphatically deny that we are under any such obligation, morally or otherwise.

We insist that such an undertaking subjects the Congress of the United States to the charge of being false to its constitutional obligations, untrue to the people it represents, and, from a political standpoint, false to the pledges made by the party to the people when it asked and received their support.

3. Entirely independent of its effect on the beet-sugar industry as a present fact in established concerns, it would smother the further development of the industry through the scores of plants now in various stages of active advancement.

An industry which has grown fivefold in the last four years, and doubled since 1900, has in it the certainty of a future development so stupendous as to beggar prophecy and appeal with cogent force to our national pride.

4. In so far as the proposition professes to be in the line of Republican reciprocity, we assert that it is essentially a denial of that great policy. We deny that reciprocity is desirable except as a corollary to the greater policy of protection. Republican reciprocity, wise reciprocity, does not seek an exchange of products at the expense of any American industry; it does not seek to give, it does not give, commercial advantage to any foreign product which comes into competition with our own products; it does not seek an exchange of products which deprives any American artisan of his work or any American farmer of an opportunity to profitably till the soil.

This was explicitly declared by McKinley in his Buffalo speech in the following words:

"By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus."

And by President Roosevelt in his annual message in these words:

"And that reciprocity be sought for so far as it can safely be done without injury to our home industries."

5. To say that the duty on sugar is to be lowered on the plea that it helps Cuba is to say that it must always be lowered when Cuba needs help; and a reduction of one-fifth by the House of Representatives means that elsewhere, both in and out of Congress, the extent of that reduction shall be measured by the varying views of those who consider it.

It must, therefore, follow that the protective principle is to be subordinated to the question as to what amount of help Cuba may need.

With such a policy declared by a Republican majority, what wise business man can be induced to invest his money in the beet-sugar industry? What promise will there be of its future development?

And if that Republican majority is once constrained to such a policy, what license have we to believe that the citadel of protection will not be further assaulted in the house of its friends? When that time comes the days of Republican supremacy will be numbered.

Never more earnestly than at this hour have we been summoned to our duty; never has the cause of protection—to which we owe our party success and our national prosperity—more needed our undivided and unflinching support.

We pledged our faith in 1896 to the sugar growers of the country, and they took us at our word; in 1897 we kept the faith and passed the Dingley law, and the people, relying on that law and our party pride and traditions, proceeded to develop in amazing proportions the industry which we specifically encouraged them to enter.

We are told that the pending proposition will not hurt the beet-sugar producers; but surely no one anywhere has asserted that it would help them.

A tariff measure which has the unanimous indorsement of free traders is not above suspicion, and a search warrant will not be needed to find all the protection that is hidden away in it.

I submit to the country that the foregoing is a candid and forceful statement of sound Republican principles. Upon it we of the opposition go to our constituents, confident that no flaw can be found in our armor.

I will not occupy further time. I simply want to brush aside for a moment the curtain that time has let fall between the past and the present, in order to call your attention to a scene that took place during the civil war. It was at the battle of Chickamauga. There had been an awful conflict. The thunders of war had raged there for three days.

Rosecrans, the leader, with the bulk of his army, had sought shelter behind the rifle pits and the earthworks of Chattanooga. All was disorder, disaster, and defeat. At length, out of the smoke and dust—away out in front—there came a message, signed "George H. Thomas," saying, "I am here as firm as a rock." The instant that message was read order came out of chaos; victory came out of defeat. The Union Army was saved from destruction and the flag saved from disgrace.

Now, I want to say to my exceedingly good friend from Ohio [Mr. GROSVENOR], and my other exceedingly good friend and leader from New York [Mr. PAYNE], here we stand as firm as a rock, with the flag of protection floating over us, ready to do battle with you in the cause of Republican principles. In that cause we will gladly follow you in the future as we have in the past; but when you ask us to repudiate a principle of the great Republican party and turn against the industries of our own people, there we refuse to follow. [Loud applause.]

Mr. LAWRENCE. Mr. Chairman, in view of the convincing arguments already made in favor of the bill "to provide for reciprocal trade relations with Cuba," I do not propose to speak at length; I am, however, desirous of expressing briefly my approval of the pending measure. I shall give it my support for the reason, above all others, that we are under a moral obligation to the people of Cuba to grant the relief proposed by this legislation.

We declared war with Spain for the purpose of banishing inhuman rule from the island of Cuba. We have claimed that no war was ever entered upon with purer purpose, and I believe history will justify the claim. The sacrifices we have made in behalf of Cuba have not been small. Brave men risked their lives that Cuba might be free. We owe it to them to see to it that Cuba starts out as a free and independent state with well-founded hope of success.

In declaring war we disclaimed "any intention to exercise sovereignty or control over the island of Cuba except for the pacification thereof," and we promised when that was accomplished "to leave the government and control of the island to its people." Since the close of that war we have been endeavoring to establish a stable and independent government. Leonard Wood was appointed military governor of the island. No better appointment could have been made. His administration has been satisfactory to the people of this country and of Cuba. In the conduct of his high office he has reflected honor upon his Government and has done very much to make the establishment of a stable government possible. His patriotic service has furnished proof to the world that our efforts have not been based upon a selfish motive.

Now that he has practically finished his work and our pledge to leave the government and control of the island to its people is about to be fulfilled, his statements are entitled to receive from his countrymen and from us as their representatives full and favorable consideration. What is it that he has to say about the need of Cuba and our duty with reference to it?

He tells us that while we have expelled Spain, have cleaned up the island and laid the foundation for good government, that our work will be largely useless unless Cuba has the means to continue the work; that Cuba, hardly out of the ruin caused by the war, is obliged to compete with the bounty-fed sugars of Europe and the highly protected sugars of the United States, and that if we leave her under the present tariff conditions we do so knowing that it is highly probable she will not be able to maintain such a government as we have declared she shall establish and maintain. He puts the matter very eloquently and very forcibly before the American people in these words:

Her people have exhausted their resources in a heroic struggle to build up their industries, but they can not go on spending more than they receive any longer. This year's sugar crop, which will be over 800,000 tons, represents their supreme effort, and unless relief comes—and comes quickly—we must expect a crisis which will render Cuba's position most deplorable and ours most embarrassing. We have assumed the responsibility of establishing her as an independent stable government, and we are in honor bound to see to it that she is given a reasonable chance to maintain such government.

In the face of such a statement from such a source I do not propose to doubt for a moment the fact that distressing conditions exist and that it is our duty to act promptly. The appeal is honest and frank and manly. Let us meet it in the same spirit, in the way I believe the people would have us. I accept Governor Wood's statement of conditions in Cuba as absolutely correct. I know of no man in public life whose words with reference to this subject should be so convincing.

I believe, then, as I said at the beginning, that we are under a moral obligation to grant the relief for which he asks. The pending bill grants a reduction of 20 per cent of our tariff rates upon articles imported from Cuba until the 1st day of December, 1903. It is not a large concession. It is the very least we can do. We owe such action to the Cuban people, and in taking it we are but carrying out the spirit and purpose of the pledges we have solemnly made.

But the present bill is not simply a reduction of tariff rates upon articles imported from Cuba. It is a reciprocal arrangement. Cuba proposes to give us a substantial return. It is not charity which is asked, but an honest, equitable agreement which will be for the benefit of both the contracting parties. We shall increase thereby the foreign market for American products. During the year 1901 Cuba imported from countries other than the United States goods valued at over \$38,000,000. By far the greater part of these imports should come from the United States. With Cuba independent and prosperous its market will be of great value to us. And then, too, by the terms of the bill Cuba must adopt immigration, exclusion, and contract-labor laws as restrictive as the laws of the United States. This check upon the immigration of cheap labor can not fail to be of benefit to our own producers.

It has been urged that the Cuban producers (whom we are seeking to aid) would not receive the benefit of the proposed reduction in duties, as so large a proportion of this year's crop had already been sold. Investigation does not justify this inference, reports from official sources showing that an insignificant amount has been disposed of. It has also been claimed that the proposed concessions can not be made without serious injury to American industry, and especially to the beet-sugar industry. We certainly desire to carry out our obligations to Cuba without injury to any American industry.

It is claimed by the framers of the bill that while the Government may lose seven or eight million dollars of revenue, as a matter of fact none of our industries will be injured. It seems to me that this claim is justified by facts. We consumed last year about 2,300,000 tons of sugar, and it is estimated that our consumption during the current year will be about 2,500,000 tons. The entire production in Hawaii, Porto Rico, and the United

States is about 850,000 tons. If Cuba's crop amounts to 850,000 tons, as estimated, we shall be compelled to import from other countries about 800,000 tons. The proposed tariff reduction can not, therefore, reduce the price to the consumer. If Cuba's entire crop is sold in the United States, we must still buy elsewhere about 800,000 tons—a statement of fact which ought to satisfy one that the slight reduction proposed for so limited a period can not injure in any measure the beet-sugar interests of the United States.

In his message to Congress, at the beginning of the present session, President Roosevelt urged the enactment of some measure for the relief of Cuba. Over four months have passed since then, and time has served to justify the wisdom and justice of his appeal. In his message he said:

Elsewhere I have discussed the question of reciprocity. In the case of Cuba, however, there are weighty reasons of morality and of national interest why the policy should be held to have a peculiar application, and I most earnestly ask your attention to the wisdom—indeed, to the vital need—of providing for a substantial reduction in the tariff duties on Cuban imports into the United States. Cuba has in her constitution affirmed what we desire—that she should stand in international matters in closer and more friendly relations with us than with any other power; and we are bound by every consideration of honor and expediency to pass commercial measures in the interest of her material well-being.

In this recommendation the President is most heartily indorsed by the Secretary of War, who says that the same considerations which led to the war with Spain now require that a commercial arrangement be made under which Cuba can live.

I regret that this bill could not have been brought before Congress at an earlier date. Prompt action was demanded in the interest of both Cuban and American. Now that the matter is before us I trust there may be no further vexatious delay, but that the bill may soon become law.

By the provisions of the so-called Platt amendment the government of Cuba shall never enter into any treaty or other compact with any foreign power which will tend to impair its independence; it shall not contract any public debt for the ultimate discharge of which the ordinary revenues of the island shall be inadequate; it shall permit the United States to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty; and it shall sell or lease to the United States lands necessary for coaling or naval stations.

By our own action we have made it necessary that Cuba should stand in closer relations with us than with any other power. She must look to us, and to us alone, for such a commercial union as will give her that prosperity necessary for the maintenance of an independent government.

Another most important provision of the Platt amendment is the one which compels the government to execute plans for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the Southern ports of the United States and the people residing therein.

It is of the most vital importance to our own people that this provision should be carried out. A bankrupt government can not carry it out. Were we actuated by self-interest alone, we should make this reciprocal agreement under which Cuba can live.

If Governor Wood's evidence is not deemed sufficient, the testimony given before the Committee on Ways and Means, which considered the question at great length, ought to be convincing upon the point that a failure on our part to grant some concessions will result in great financial distress.

The reason why there is at present no such financial distress and that labor has been fully employed at fair wages is found in the fact that the producers of Cuba have relied upon reasonable, if not generous, concessions on the part of the United States. The planters are heavily in debt. If their sugar must be disposed of under present conditions, it must be sold at a price less than the cost of production. Failures will inevitably result.

The situation is serious for the Cuban people. In view of the far-reaching consequences which may follow, it is also serious for ourselves. Should bankruptcy and demoralization follow their establishment of an independent government the United States would be compelled to intervene again, and immediate annexation would be likely to be the result, a result which, for one, I do not desire.

The making of this commercial arrangement is in accord with the principles of the Republican party. It is a reciprocal agreement, and not a revision of the tariff or an attack upon our protective system. The desirability of supplementing our tariff system with reciprocity has of late been urged with great force. The need of wider markets is acknowledged by all. The home market is no longer sufficient.

During the coming years the growth of our export trade with Cuba will undoubtedly be very great, and the action we are now

proposing to take will not only give the aid so much needed, but will ultimately be of great benefit to our own producers. I am glad of the opportunity by my vote to place myself in accord with the President, the Secretary of War, and General Wood. I believe the outcome will be for the good of Cuba and the United States. It is not legislation based upon sentimentalism, but upon that sense of justice and right which has ever been characteristic of the American people. [Loud applause.]

Mr. PERKINS. Mr. Chairman, my position is quite embarrassing. Very distinguished members of this House have shown the errors in this bill in orations which were noticeable equally for their eloquence and for their length. It can not be expected that in the brief ten minutes allotted to me, a most undistinguished member of this House, I could show the errors of their argument; but I must say that although I have listened with close attention, I have been unable to comprehend or even to guess why such fervor should be shown in the opposition to this bill. It does seem to me, with very great respect to the distinguished gentleman who has so eloquently opposed it, that there is an immense amount of cry to an amazingly small supply of wool. Almost everyone agrees that whatever happens with the money taken out of the Treasury, the price of sugar as it is sold in the American market will not be affected.

Some gentlemen on the other side have asked of the chairman of the Committee on Ways and Means [Mr. PAYNE] and others, "Do you think the price of retail sugar will be affected or diminished?" and the answer has been no, as of course anyone can see must be the case. Now, what results? Some of the gentlemen think that the \$6,000,000 taken from the Treasury will be absorbed by the octopus that goes by the name of the sugar trust, and some of them hope that the \$6,000,000 may go into the pockets of the Cuban planters; but, Mr. Chairman, whether it goes to Mr. Havemeyer or whether it goes to some toiling Cuban, or no matter where it goes, if the retail price of sugar in the United States remains unaffected, as it must remain unaffected, for all commercial laws show that such a reduction as this must leave it unaffected, then I confess I can not understand why and how the beet-sugar man who sells his sugar, who is interested in but one thing in the world, and that is the price of retail sugar in the United States, is going to be affected by this legislation. It may be my lack of intelligence, but it is for that reason that all these eloquent remarks about the untimely demise of an infant industry have fallen very coldly upon my ear.

Now, Mr. Chairman, one thing more in my brief ten minutes. The gentleman from Massachusetts [Mr. LAWRENCE] said that there was a question of obligation due to Cuba. I wish to say, Mr. Chairman, that what is back of the demand for this legislation is the obligation which the people of the United States owe to themselves. Why is it that the Administration is in favor of this legislation? Why is it that the great mass of the people of the United States are back of the Administration in favor of this legislation? It can be stated, Mr. Chairman, in a very few words. Four years ago we undertook a war with Spain. We were not bound to do it. We are not bound to go to war in behalf of every poor and suffering people. We were not bound to enter upon a career of national knight errantry in behalf of Cuba or in behalf of any land or island. But we did it. Let us remember how loudly it was stated upon the floor of this House, how loudly it was stated all over the United States, that the people of the United States had undertaken an unselfish war, that they were willing to spend their blood and treasure for the good of others.

How often has it been stated, on this floor and off this floor, that as a result of the war, not merely the success gained in it, but the motives which led to its being waged, the position of the United States has been raised all over the world. Now, Mr. Chairman, I presume that is so; but having assumed that philanthropic rôle, we must live up to it. The proverb says that nobility imposes its obligations. To take a parallel case that was suggested by the chairman of the Committee on Ways and Means, let us suppose some poor waif oppressed by a cruel guardian. Any man has the right to say that he will not bother his head about that waif. He has the right to say that his time is taken with his own family and his money is absorbed in his own household; but if instead of that he says, and says quite loudly, with some assertion of virtue, that he is going to rescue that ward from the cruel guardian and make it a lot a happy one, and if he begins that laudable enterprise, if he interferes and gets it out of the charge and hands of the guardian, and the next morning changes his mind and buttons up his pocket and says if the ward is going hungry for breakfast that that is no business of his, those who would not have said one word if he had left the child alone will declare he is behaving in a shabby manner.

The situation is the same with Cuba. We have interfered where we were not bound to interfere. We have declared that we acted for the benefit of others without any personal consideration. What will be said if at the very eve of that, the very first

time that a question comes up in the American Congress which presses on the pocket of some large financial interest, we turn around and say we will do nothing? Gentlemen of the House have said: "Under what obligations are we to Cuba? Why should we interfere to relieve Cuban planters?" The time to say that, Mr. Chairman, was before the war was begun and not now. And that is why the people of the United States are back of this demand. They know the thing most important. The thing they care most for is the reputation of the country as a great and honorable and liberal nation.

The masses of the people are not disturbed, as are gentlemen here, by any question as to the future price of sugar or differential rates. They believe that there are things more important to a nation than its beets. They know that it is true in the past and will be true forever that "righteousness exalteth a nation." They demand that, instead of considering whether \$6,000,000 will come out of the Treasury or one-half of 1 cent per pound goes off the price of beet sugar, the Congress of the United States shall do the thing which will be consistent with the past record of the country, which will honor the land in the esteem of other nations and of posterity. I hope, Mr. Chairman, that the members of the Congress of the United States, on such a question as this, will not fall below the patriotic self-respect of the people whom they represent. [Loud applause.]

Mr. THAYER. Mr. Chairman, it is not my purpose to discuss at any length the bill before the committee. I think the bill gives altogether too small a concession to Cuba, and unless some one else precedes me in making the motion at the proper time, I shall move that the amount be increased from 20 per cent to 33½ per cent. I think if you fix it at 20 per cent it is entirely inadequate to the necessities of the Cuban people and will afford them but little practical relief, and if increased to 33½ per cent, the general impression is that it will relieve them at least temporarily, and an increase to that amount can be made without any detriment to the beet-sugar industry of this country. They would not feel it at all.

But my purpose, Mr. Chairman, at this time, in order to relieve the extreme tension under which this House has been in the last three days in the consideration and discussion of this bill, is to call the attention of the members of the committee, and through them the attention of the country, to a matter which I presented to Congress last Monday in the form of a resolution, which I will now ask the Clerk to read in my time.

The Clerk read as follows:

#### House resolution No. 203.

Whereas it is alleged in the public prints and in newspapers recognized of the highest standing in various parts of the country that a combination of six of the leading meat producers of this country has been formed for the purpose of controlling trade in meat products to the exclusion of smaller companies and individuals, and does control such trade to the immense amount of \$900,000,000 annually; that such a combination is formed for the purpose of restraining and controlling trade in meats and meat products and for raising the prices of the prime necessities of life; that such combine is apportioning territory and securing large rebates from railroads and interstate traffic; and

Whereas it is stated in the public prints and newspapers of the highest character that these six companies forming said combine have during the last year, by raising excessively the price of beef and beef products, secured a net profit for themselves of \$100,000,000; and

Whereas the following allegations are made in the New York Herald, a highly respectable and influential publication printed in the city of New York:

"Documentary proofs have been laid before the public of the oppressive monopoly of one of the most rapacious of all trusts, the beef trust, wielding a power to make a prime necessity of life a costly luxury. They show a combination of six or seven big concerns to monopolize the cattle trade of the West, control the meat market of the East, and advance prices to a pitch that means extortion to all consumers and deprivation to many, and this in order to enrich themselves at the expense of the masses. The methods of the beef trust would seem to constitute one of the worst abuses at which the anti-trust statute of Congress was aimed or at which any antitrust law can be aimed. It is a combination or conspiracy in restraint of trade. It is a monopoly destructive of competition. It controls prices and enforces extortion. It has the people, and especially the poorer masses, at its mercy in the matter of daily food. Its operations are interstate, and hence within the jurisdiction of Congress.

"Now arises the question vital to the public, whether such a trust is beyond the reach of the law. If its methods are not beyond the reach of the Federal law, then it is high time for the Attorney-General of the United States to move for the enforcement of the statutes. If it does not reach this outrageous abuse, then it may be pertinently asked, 'Of what earthly use is the law?' In either case it is up to the Department of Justice to take hold of this matter with promptness and vigor, that the people may know whether the existing statute affords any protection against one of the most oppressive of all trusts and whether additional legislation is needed to that desirable end.

"Moreover, it is charged that this same combination is violating the interstate-commerce law, designed to prevent unjust discrimination and favoritism in freight charges. That also is a matter to be rigorously looked into and the law enforced if violated. It is now for the Department of Justice at Washington to apply the remedy for evil, if existing statutes afford any remedy. If they do not, then it is high time for a law that will reach such abuses."

Therefore, be it

Resolved, That the Attorney-General be, and he is hereby, respectfully requested, if not incompatible with the public interests, to inform the House of Representatives what steps, if any, have been taken by the Department of Justice toward an investigation of the alleged charges hereinbefore stated; what, if any, steps have been taken toward ascertaining the truth or

falsity of these charges, and whether there has or has not been, in his opinion, an infringement of the law; and if so, what steps, if any, have been taken toward a prosecution of the parties violating the law.

**Mr. THAYER.** Mr. Chairman, I do not vouch for the truth of the allegations that are contained in the resolution, but in my judgment they come from the most conservative people and influential newspapers throughout the country, from Kansas to Maine, and I do not believe they would make these statements unless they had the evidence at hand for the proof of them. Now, if these allegations are true, and I must assume that they are from the sources from which they come, then these companies are openly violating the law, and I am confident we have sufficient law already to punish the violators of it. Chapter 647 of the laws of 1890 provides in the first section as follows:

**SECTION 1.** Every contract, combination in the form of a trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

Now, the second section provides:

**SEC. 2.** Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

It occurs to me, sir, that if these allegations are true, then the parties who have entered into this combine are amenable to the law. There are six corporations or companies who have entered into this agreement and contracts for the purpose of monopolizing and raising the price and controlling the sale of one of the prime necessities of life—meat and meat products. The allegations claim that the companies who have entered into this combination are Armour & Co., The Cudahy Packing Company, G. H. Hammond, Schwarzschild & Sulzberger, Swift & Co., and Nelson A. Morris. These companies control six hundred millions of money, and it is alleged in these newspapers and in the New York Herald and other papers that these six companies last year made a net profit of a hundred millions of money.

Now, the evidence that there is a combination is contained in the papers, and I want to call the attention of the members of the committee, and through them the attention of the country, to the condition in the contracts which these parties have entered into. Mr. P. L. Hughes, the eastern manager of the Cudahy Packing Company, wrote to his company in South Omaha, Nebr., as follows:

At our meeting to-day there was nothing accomplished worthy of mention after three hours of discussion. It seems we are not able to get together with the spirit that formerly prevailed at our meetings, but perhaps this will improve by further intercourse. Wheeler made a proposition, and was very persistent in advocating that we should sell but a stated number of cattle at each house Monday and Tuesday, and then meet again Wednesday, but that was voted as entirely out of the operation.

However, we all made a solemn promise that we would advance all grades from three-eighths cent to one-half cent if our stock is the same as received last week. I hope this agreement will be the means of giving us a decent price for it.

Later:

I voted in favor of the proposition for various reasons, one of which is the fact that next door to us at Harlem they have a fine house, and they will not be troublesome competitors when bound by the association rules, as they would be otherwise. The same might be said of Brooklyn, where they are selling beef directly across the street from us, and as the credit association affairs and matters pertaining to other subjects would be kept entirely separate and distinct I should certainly be in favor of taking them in.

Again—I do not read all of it, but it appears in the New York Herald of March 31:

I agreed with others that we should have a general meeting and get the market up to where it ought to be, and therefore deferred my visit to Pittsburgh until next year, although my annual passes for 1898 will expire to-morrow.

Later on he says:

While at Utica we had representatives from each of the Western shippers, and after having gone over matters generally we decided to advance the price of all grades of beef 50 cents, and we braced pork loins at 74 cents.

I have never failed to get those fellows to increase the price when I go there, but it generally lasts but a week or two. Nelson Morris has not sent an inspector there in over a year, although their man Sullivan visits Scranton and Wilkesbarre regularly. Doolittle, of Schwarzschild & Sulzberger, was there a few days this week, and he left in disgust without attempting to do anything with them. I think, however, we will get better results from there for the next week or two.

In order to show that they have divided up this country between themselves, each one taking his share, here is a letter written to Cudahy Packing Company by P. L. Hughes, wherein he states the agreement to extend credit:

First. The undersigned agree that on and after August 7, 1899, all dealers in fresh meats may have the privilege of paying their bills of the previous week on or before Tuesday of the following week, and to this end we will print on all our bills and statements "All bills payable on or before the Monday following date of sale." All fresh meats must be weighed and charged to customers on day of sale. Should, however, any dealer in fresh meats be delinquent on any account contracted after the above date, he shall be sold for cash or check only until such account is paid in full. It is further under-

stood and agreed that this agreement does not apply to sales of provisions, but does cover all sales of fresh meats, the term "fresh meats" meaning all beef, pork, veal, or mutton in carcass, or any portion of the same, which has not been cured, pickled, smoked, or canned; also all dressed poultry and game.

Third. We hereby appoint Arthur Colby arbitrator under this agreement, at a salary of \$3,000 per annum, to be paid by us pro rata, with full power to examine our books, papers, and accounts, and to impose and collect a fine of not more than \$50 for each violation of this agreement that may be proved to his satisfaction, and from his decision no appeal shall lie. This appointment is terminable by thirty days' notice, in writing, on either side.

Again, mark the enforcement of the terms of the contract prohibiting either party to it from selling at less price than fixed upon. It appears in this letter from P. L. Hughes, Eastern manager to the Cudahy Packing Company, South Omaha, Nebr.:

DEAR SIR: I inclose herewith drafts on our Braddock house on account of our having sold pork under the agreed price.

P. L. HUGHES.

Here is the provision in the agreement. After a purchaser has once refused or neglected for twenty-four hours, no matter what his condition may be, to pay for the goods he had bought twenty-four hours earlier, he can not afterwards purchase one pound of beef from these companies, who control over 80 per cent of the beef sold in this country; he can not go anywhere and buy a dollar's worth except for spot cash. If he has violated these rules in not paying every twenty-four hours from the time when he got his product his credit is, with this combine, entirely destroyed.

**Mr. KLEBERG.** May I interrupt the gentleman?

**Mr. THAYER.** Certainly.

**Mr. KLEBERG.** Is it not true that in the hearings before the Interstate Commerce Commission it was shown that these beef-packing trusts had a rebate of 25 per cent on the railways?

**Mr. THAYER.** That is exactly true, and I will show that a little later. I might read more, but I have read enough, it occurs to me, to show that these people come within the provisions of the statute, namely, that they have combined for the purpose of refusing credit to the purchaser, for the purpose of controlling the output of the beef in all this country, and prohibiting any one of their members from selling at prices less than that agreed upon by the whole.

**Mr. GAINES of Tennessee.** Will the gentleman allow me an interruption?

**Mr. THAYER.** Certainly.

**Mr. GAINES of Tennessee.** Is not one of the troubles to which you allude this, that in the Knight sugar trust case the court thought that the antitrust act in question did not apply to the monopoly which manufactured, but only applied to the product after it is manufactured and entered into interstate commerce; in other words, that the trust law in question did not apply to the trust which created the manufactured article, but only applied to the manufactured article after it became interstate commerce?

**Mr. THAYER.** I am not cognizant with the case to which the gentleman refers, and therefore can not answer his question.

**Mr. GAINES of Tennessee.** Clearly the act does apply to interstate contracts and interstate trust contracts, and it should be rigorously and promptly enforced. This Knight case and what the court there said is clearly set out in the more recent Addyston Pipe case, 175 United States, page 240.

**Mr. THAYER.** What I have asked in this resolution is that the Attorney-General shall investigate this matter of those charges, and if, upon investigation, he comes to the conclusion that these facts do not bring the parties within the statute, then I say to this House that rather than attempt to change the Constitution, which will take many years, if it can ever be done, we should apply ourselves to it at once and place some legislation on the statute book that will meet the conditions presented by these facts.

**Mr. PRINCE.** Mr. Chairman, I have listened to all the speeches made on both sides of this question. I heard the distinguished leader, the chairman of the Committee on Ways and Means [Mr. PAYNE] in his opening address state the reasons which, in his view, warranted him and his committee in bringing this measure before the House. I have heard gentlemen on the other side contending that the position of the gentleman from New York and his committee is not sound. Thus far the main illustration that has been used by gentlemen favoring this proposition is the relation of guardian and ward. It has been used on more than one occasion. As I recall it, there are two kinds of guardians—guardians of the person and guardians of the property. In this case, I presume, we are guardians of the person of Cuba and also guardians of her property. As guardians of her person, what have we done? For many years she struggled for her independence, which she could not attain. We stepped in in 1898, now high on to four years ago. If I recollect correctly, about the 21st of April, 1898, we started out to relieve the person of Cuba from the control of her Spanish master. We have expended in this effort hundreds of millions of dollars. We have sacrificed many lives. We have improved the cities of Cuba; we have made that a healthy country. We have

advanced her material interests in many ways. All the expenses for the doing of these things have been paid largely by appropriations made in this House out of the Treasury of the United States. So far, then, as the person is concerned, we have treated the person well. As guardians we will soon turn the island with all the improvements over to her, and on the coming 20th of May we shall make of her a free and independent government.

Now let us look a little further. We have freed her from Spanish rule and Spanish taxation, and relieved her from \$300,000,000 of bonded indebtedness. Let us look at the condition of Cuba as it is now. Thus far I have not heard from the lips of any person addressing the Chair, or his fellow-members, a word showing that Cuba is in present distress. Her people are busy. She raised more sugar in the year 1901 than she had raised in any one year for many years, if ever, prior to that time. Her industries are improving. Her men and women are busy. The farm hands are being paid a higher wage to-day in Cuba than such labor is being paid in any of the northwestern States of the Union.

But we are told that we are still guardian of her person and her property. Now, I know of no law book that ever declared that the guardian must take the money out of his own pocket and pay it to the ward whenever the ward came to him and asked for such payment. I have known, as a lawyer, that the court has held the guardian to a strict accounting for the manner in which he controlled the person of the ward and the manner in which he controlled the property of the ward. Now we have a new doctrine advanced in this House by eminent lawyers—the doctrine that we must take \$8,000,000 out of the Treasury of the United States and give it to Cuba, the ward, out of our own money. What right have we to do that? Fellow-members of this House, we have been elected here to represent the people of the United States. We have been sent here as the agents of our own people. We have been told to conserve the interests of America. In 1896 and in 1900 we announced as Republicans certain positions in our national platform, which I quote:

[From the Republican national platform of 1896.]

We condemn the present Administration for not keeping faith with the sugar producers of this country. The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than \$100,000,000 annually.

[From the Republican national platform of 1900.]

We renew our faith in the policy of protection to American labor. In that policy our industries have been established, diversified, and maintained. By protecting the home market, competition has been stimulated and production cheapened.

When the distinguished leader on the Republican side, the gentleman from New York [Mr. PAYNE], was confronted by his speech made in 1897, in which he said that he hoped that for twenty-five years the tariff would remain and there would be no change in it, he quickly turned round and said:

Ah, yes; that was made at a time when there was no war and no prospect of war in this country.

That was in 1897, at the extra session called by Mr. McKinley after he had been elected and inaugurated President of the United States. I heard that speech on the floor of this House. I desire here and now to read what the Ways and Means Committee then—and members now—said. I read:

[Mr. PAYNE, July 19, 1897; RECORD, p. 2749, first session Fifty-fifth Congress.]

What shall be done with the sugar trust? Well, I will tell you what, in my opinion, is the best way of dealing with it. Establish a beet-sugar factory in every Congressional district in the United States. [Applause on the Republican side.] Give competition, and lots of it, everywhere. Put the farmers over against the trust by passing this bill, and reduce the price of sugar so that German raw sugar can not be brought in to be refined here. Gentlemen on the other side, come over and help us, while we help the farmers out. [Laughter and applause.] You grangers over there, come and help us. You Populists that go up and down the streets day after day proclaiming your devotion to the interests of the farmers, help us out now when we are trying to help the farmers in this industry that we can establish so successfully. In this way you will do something toward demolishing the trust. You will accomplish more in this way than by mere invective—by running windmills and all that. [Laughter and applause.]

Why should we not produce all of our sugar in this country? Why, it costs us, Mr. Speaker, about one hundred millions. We were looking around for proper subjects for taxation. We knew that sugar would produce an enormous revenue; and besides all that, we knew that an adequate protective tariff would build up the industry in this country, and as it was gradually built up the revenue from that source would be reduced; by and by the revenue will come in more largely from other sources, and when this industry is fully established and revenue from sugar ceases, the reduction will keep pace with the increase. The thing will regulate itself; we will not disturb our tariff in the next quarter of a century. And then—

[Mr. Dingley, March 22, 1897, RECORD, p. 121.]

The duty on sugar has also been increased, both for purposes of revenue and also to encourage the production of sugar in the United States, and thereby give to our farmers a new and much-needed crop. We now pay foreign countries about \$4,000,000 for imported sugar, notwithstanding the abnormally low price, and this sum will soon be increased to \$100,000,000. The success which has attended the growing of sugar beets and the production of beet sugar in California and Nebraska in the past five years, not to mention the progress in the production of cane sugar in Louisiana, has made the problem of producing our own sugar no longer doubtful; and now that we must have the increased revenue from sugar for the present, a favorable opportunity presents itself to give this boon to our agriculture.

[Mr. GROSVENOR, March 24, 1897, RECORD, p. 240.]

We are going to force upon Louisiana that which she dare not ask for herself. Supplant at the hands of Congress, with people representing not the claims and the clamors of her own people, we will force upon her the beneficence she dares not hope for or ask for herself. We will give to the sugar producer of Louisiana an opportunity to enlarge his products and turn over some of the splendid lands of that beautiful State to the production of sugar, instead of corn, cotton, and other products of the soil; and so, Mr. Chairman, throughout Nebraska, through Kansas, and all of the States of the Union we propose to offer the same beneficent opportunities.

The Republican party comes and offers to the agriculturists of this country this magnificent boon. We will protect the industries of the country in all directions from further demoralization; and we ask you to turn aside hundreds of thousands of acres of the splendid lands of all of these States from the production of corn, oats, wheat, potatoes, and cotton, to be put into an already overstocked market, to the production of sugar, and give to the farmers upon the farming lands of the country a better market, with less competition than they now have.

[Mr. STEELE, speech on March 25, 1897, Appendix of RECORD, p. 123, first session Fifty-fifth Congress.]

With regard to sugar, I predict that if the tariff fixed by this bill is unchanged for a period of ten years we will at the end of that time be producing not only enough for our home consumption, but as much as we care to export, and at very little additional cost to the consumer. The farmers in the 20 States where the sugar beet can successfully be raised will reap a double benefit from the development of the sugar industry—first, because the sugar beet is a more profitable crop than wheat or corn, and second, because the land devoted to raising beets will no longer be producing wheat and corn, and the lessened production will increase the price of these products.

In 1898 came the war with Spain. Within three months after it was declared we had conquered Spain, and Cuba was practically free. That was in 1898. But here is a platform prepared by the Republican party in 1900. I ask the gentleman from New York [Mr. PAYNE] and the gentlemen of the Ways and Means Committee, what is your answer to that? You state that the war was the cause of your change of front on this question, and yet the war was ended nearly two years before this platform was made. Why did you not, some of you who were delegates to the national convention, stand up there when the plank I am about to read was presented and say: "Here is a plank that is not true, and must not be put in the platform?" Here is the plank to which I refer:

We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce, in return for free foreign markets.

I stand squarely upon that platform now.

That was our platform then. We reaffirmed our determination to stand by a protective-tariff policy. There is not a Republican sitting here in this Hall to-day who does not know that in every Republican convention in every State we declared again in our platform that we would not make any change upon this question. Every one of us went to our people and said: "It is not so much the money question that is disturbing our country; the trouble is due to tariff tinkering." We went to our people and asked them to send us back to Congress, promising that we would stand by the doctrine of protection; that we would stand by the doctrine of Republican reciprocity; that we would continue the prosperous conditions in our country, if our party was continued in power. Are we all to-day keeping the faith?

Oh, but gentlemen say, "the exigencies of the times, not here, but in Cuba, demand this measure." Sir, the only chart that governs my action in this House is the chart that directed my footsteps when I came here as a member of Congress, as one of the results of the election of 1900. When the party speaks in 1903 in a State convention or in my Congressional convention and directs me to do otherwise I will do it, and not until then. [Applause.] And I question the right of any other Republican to change front upon this question at this hour of the day. April 7, 1902, my home county spoke as follows:

The Republicans of Knox County in convention assembled desire to express their satisfaction with the existing conditions and their sincere belief that the maintenance of the same is dependent upon the continuance of the Republican party in power in nation, State, and county.

The distinguished gentleman from Ohio [Mr. GROSVENOR] said—I listened closely to him—that when this measure was first presented to him as he heard of it, wanting a reduction of 50 per cent, he said no; when the proposition came to him with a reduction of 40 per cent, he said no; when it came as an ultimatum of the President, as he said, using his own language—I do not wish to be held responsible for it—when the ultimatum came from the President that it should be 25 per cent, he said no; but he finally said, "I will agree to 20 per cent." Ah, in his own judgment he had come to the danger line; in his own judgment he was close to the line of danger to an infant protected industry in this country of ours, and he said:

This is not my doing; I did not bring this measure here; I will not tell how it came here, but it came here, and I wish the cup was not pressed to my lips, and I do not want to drink of it.

Gentlemen, I propose, as a Republican, not to drink a drop of it, 20 per cent or any other per cent. [Applause.] I listened also to the distinguished gentleman from New York [Mr. PAYNE], and I found from him no reason why we should do this, except an anticipated trouble. Oh, he said, in the future there is financial

trouble for Cuba, and that we must anticipate—the financial crash that will come upon that people—and we must legislate for them. Gentlemen of the House, we heard it first when we heard it in December; we heard it again in January; we heard it again in February; we heard it again in March. It is now close on the middle of April, and that island has not sunk into the sea nor have the people gone into financial ruin and bankruptcy—not at all.

It is a part of the Cape of Fears. In the old geographies you will remember that beyond a certain line there was a great shadowy substance which was called the Cape of Fears, but as the mariner got out into it he found it disappeared; and so, my Republican friends, if we can resist this a little longer, this anticipated trouble will be found another Cape of Fears that our distinguished leaders and mariners will have no trouble with if they will stand by the Republican party and the Republican pledges they have made to their people in their districts.

But what do they ask us to do by this bill? They ask us to go to the Treasury of the United States and take out \$7,000,000 arising from sugar duties that comes in here and \$1,000,000 arising from tobacco duties that comes here, and give it to somebody, somewhere. And what do we get in exchange? Nothing. There is not a consumer in the United States who will get his sugar one cent less or one ten-thousandth part of a cent less than he does today. Then what will the consumer get? He will get \$8,000,000 less in the Treasury, which has to be made up in some way by taxation upon the men and the women that we are supposed to represent in this body. That is the first proposition. Is there financial distress in Cuba that we should do this act? No. Is there any reason assigned? No; except possibly that we may get a little more trade. How much more? Thirty-eight million dollars of the trade of Cuba.

They say Cuba has a trade with the world to a certain amount. A certain amount comes to the United States. The difference between what comes to the United States and what goes to the balance of the world is \$38,000,000. I desire to state right here that our farmers furnish to Cuba now all the hogs and sheep she buys. We also furnish her now all the soft coal and paving brick she uses. We furnish her now practically all the bran, wheat, corn, oats, flour, cars and rails for railroads, and carriages and vehicles she now uses. The passage of this measure will not increase our market for the above-mentioned articles one bit, as we have it all now. Now they say if you will give to somebody, somewhere, \$8,000,000 of clean money you can have the opportunity of taking your chances and getting profit on a prospective trade that may never come to any person in the United States. Is not that a smart bargain for statesmen to make with the people's money out of the Treasury of the United States? And yet it is your bargain.

Oh, you say, it will not affect the sugar interests of this country. Gentlemen, I believe as a Republican in standing by the Republican members of Congress. I have confidence in the Representatives from Michigan; I have confidence in the Representatives from Minnesota; I have confidence in the Representatives from California, Utah, Washington, North Dakota, and Wisconsin. They are my own kith and kin, politically; they belong to my side of the House; they come from Republican States which send solid Republican delegations. Am I to say that their judgment is not correct? I am supposed to represent my district. Each individual is supposed to stand on this floor representing his individual district. Do not the gentlemen from those States know best the interests of their States, and every one of them declares on the floor of the House and elsewhere that this bill, if passed, means the destruction of sugar-beet property in their States. How much is interested in it? As I recall, one gentleman stated about \$49,000,000. How many people? In the neighborhood of 40,000 people are dependent upon this industry. Thousands of acres of land are used in raising beets; 30,000 people are employed in this industry alone, in the field and in the factory, and in addition there are thousands of people employed in the Southern States in the production of cane—your people and mine, the people who pay the taxes, who support the schools and the colleges, and who build the roads, and who, when difficulty comes, defend your flag and mine. [Applause.] I am legislating for them; I am not legislating for some one else, somewhere else.

When this bill passes, if pass it does, and the factories are closed, or the number of men employed in the factories is lessened and their wages are reduced, you will have put to work a condition of affairs that you can not down. You will have started for self-preservation the great organizations of the United States, the labor organizations in the cigar factories, in the tobacco factories, in the fields and in the factories of the beet-sugar industries and the cane-sugar industries, and link by link they will gather together, and in my judgment they may change the political complexion of this House. [Applause.]

I am for the American farmer, native and naturalized. I am

for the American factory hand and the American laborer, by birth and by choice, as against those people over on the other side, for they have no further claim upon us on this question as against the interest of our own people. But where is the advantage? I ask. None. Oh, but they say that it will not affect the price of sugar in this country; that sugar will remain the same; that the beet-sugar industries will thrive; that they will get the same price from the consumer that they are now getting. I deny it. Why do I deny it? I will give you my reasons. As the proof shows, in the central portion of our country the American Sugar Refining Company—the sugar trust, as it is known—have taken the profits that they have in their treasury and have temporarily and locally underbid the factories that are there—have put them down by competition and closed them. You gentlemen who favor this bill propose to give annually to that trust from two to ten million dollars as a net profit and gain. They will take that two to ten million dollars and they will go up into the Northwest and undersell your factories. You have given them a club in the shape of money to go up and undersell those people, so as to drive them out of the market; and when they have driven them out and their factories have closed, then they will control the market and immediately advance the price of sugar, for the only persons that refine sugar in the United States are the sugar trust.

Remember that the beet-sugar factory takes the raw beets and by the processes of that factory turns over the refined sugar to the consumer. The cane-sugar planter raises his cane and sells the raw product to the only buyer, the sugar trust, that controls the market for the raw product because it is the only buyer. Now you propose to give to that one market from five to ten million dollars in cold cash with which to throttle and destroy the only opposition that it has in the United States. Do you believe it will not do it? You have more faith and confidence in the sugar trust than I have if you believe that, because this is a simple business proposition with the sugar trust. For one, I am not in favor of it and I shall not so vote either in the Committee of the Whole or in the House.

In so doing I do not believe I am any less a Republican. I believe I am a truer and a more genuine Republican by so voting here than by voting the other way. [Applause.] Why do I believe it? Because I am sustained by the Republican platform and by the utterances of McKinley and Roosevelt, because I am not favoring reciprocity upon a product produced in another country which enters into competition with a product produced in this country. We have never favored that. It is not Republican doctrine. Mark the distinction. We believe in a trade, in trading an article that we produce in this country for one that is produced in another country the like of which is not produced in this country. That is Republican reciprocity. We do not believe in trading an article produced in this country for a like article produced in another country for the purpose of striking down and destroying an infant developing industry in this country which we pledged to maintain and develop in our platforms of 1896 and 1900. That is the distinction. We call it fair trade. You upon the other side call it free trade.

Mr. HENRY C. SMITH. You might just as well reciprocate on Australian wool.

Mr. PRINCE. We might just as well reciprocate on wool with Australia, and I do not believe there is a gentleman from Ohio who would venture to vote in favor of that for a moment.

But you insist that it is not the danger point. We insist that it is. You insist that if this legislation is not passed Cuba will have future financial distress. We insist that if this legislation is passed, beet-sugar interests will be destroyed. In a question of honest doubt are you for Cuba against your own people? We are not. We quote the gentleman from Ohio, as he told of the drop from 50 to 20 per cent. The danger there was so close in his judgment that he was willing to take chances at that time. Now we are not willing to take those chances. The danger line is below that, and we believe it is at the very initial point.

But I am glad to state that this measure has taken such shape that no man's party politics can be called in question for voting either one way or the other upon it. The bill was brought out from the Ways and Means Committee by three distinguished Democratic leaders joining with some of the Republican members of the Ways and Means Committee in voting to bring the bill to the House. When the question came up on a vote whether we should go into Committee of the Whole, as I recall it, 63 distinguished Democratic members of this House voted with some of the distinguished Republican members of this House to go into Committee of the Whole, while 41 distinguished Democratic members upon the other side joined with 39 stalwart Republicans upon this side in opposition to the motion to go into the consideration of this measure.

Then where is the party question? If it is any kind of a party measure, it is more a Democratic free-trade, tariff-tinkering, business-unsettling measure than a Republican measure in any event

[applause], for more Democrats, relatively, voted for it than Republicans. When you gentlemen on the other side seek to make a party question of it in my district when I stand for reelection, I will read the roll call. I will read the report that is signed by the men who brought in this bill before the House, and I will read the roll call in my district, and show that men on that side were as much in favor of it as men on this side. It is not a party question. The distinguished gentleman from Ohio said it was not a party question; that it was a question for each individual to solve for himself. Said he, "Choose ye this day whom you will serve, God or Baal." I do not know what he calls the name of the Deity he worships, but 39 of us worship God on this side of the House. [Loud applause.]

In conclusion, I desire to state that thus far I have heard no one affirm in debate that the late President McKinley favored the form of relief proposed in this measure for Cuba. I have not heard it stated that President Roosevelt favored this specific form of relief mentioned in the proposed measure. No such message has been sent to Congress by the President. It is true that President Roosevelt favors commercial measures favorable to the material well-being of Cuba, but he favors them along Republican lines of protection and reciprocity.

Those of us Republicans who are standing out against this measure are willing to vote to aid the material interests of Cuba along the same lines that we voted to relieve the material interests of Porto Rico. [Applause.] We favor this method, that we shall continue to collect the full Dingley rate for articles coming from Cuba to the United States, and that we shall pay over to the Cuban government such portion of the amount of the duties collected as may be necessary for the interests of her material well being, and that in consideration thereof, we shall receive from Cuba such reciprocal concessions as she may be able to grant. In other words, we are willing to refund and pay over to the Cuban government such a per cent of duties collected from products coming from Cuba as may be necessary for the interest of her material well being.

In this event, the money will go directly to the Cuban government at a time when she is starting out, and it will keep her government from being a prey from money sharks and exploiters who may desire to bond the country. It will give the government an opportunity to give her people work by employing them on public works. The benefit thus derived can be apportioned by the government, if it so desires, to the betterment of the condition of the Cuban planter, if he really is in need, which I doubt.

The owners of the sugar plantations in Cuba are largely Spanish foreigners and American exploiters, who do not need any help from this Government and who are abundantly able to take care of themselves.

The views I have expressed are clearly set forth in the following reasons:

1. It will afford relief both to the Government and to the people of Cuba.
2. It makes certain that Cuba and her people, and no one else, will be the beneficiaries of our action.
3. By its adoption we keep faith with the people of this country and with the people of Cuba.
4. It does not violate our national party platforms of 1896 and 1900.
5. It does not disturb existing conditions in this country.
6. It does not alter or modify any schedule of the present tariff law.
7. It does not injure or discourage any domestic industry or prevent its further development.
8. It avoids an inopportune agitation of questions affecting industrial conditions of unparalleled prosperity.
9. It would secure reciprocal trade concessions from Cuba and give time to ascertain the value of such trade relations between the two Republics under existing conditions.
10. Its reciprocal feature furnishes a consideration which makes the proposed measure of undoubted constitutionality. It is as competent for Congress to purchase trade concessions from foreign countries as to purchase naval or coaling stations.
11. It is sustained by precedent since the establishment of our Government, and particularly by the legislation refunding duties collected on the products of Porto Rico and the Philippine Islands.
12. It affords the means and opportunity for successfully inaugurating and permanently establishing the new government of Cuba during a time which the experience of all nations has shown will be its most critical period.
13. It affords relief until the present adverse trade conditions affecting the price of sugar shall have been improved by the abolishment of European sugar bounties.
14. It discharges every obligation assumed by us under the provisions of the treaty of Paris, the Platt amendment, and by our intervention to secure the independence of Cuba.

These views are in line with the President's message to Congress. [Applause.]

Those of us who opposed this legislation are willing and anxious to have the country know our position relative to this proposed bill. Those of us who are opposed to this legislation prepared a statement, giving our reasons therefor, which is as follows:

We oppose the proposition to reduce the tariff on Cuban products coming into this country because it involves a relaxation of the protective principle. The Republican platform of 1896 condemned the Democratic party for not keeping faith with the American sugar growers; we seek not to merit for ourselves the same condemnation.

The proposition to reduce the sugar tariff is unwise and unjust, because—

1. It constitutes, in essence, an abandonment of the protective principle, even though it removes only one-fifth of the duty imposed by the Dingley

law. And this abandonment is most unhappy because applied to the pursuit of agriculture in the most conspicuous instance in which specific and manifest protection is given to the farmer, and at the moment when the beet industry is not only in its infancy, but in an infancy so lusty and promising as to demonstrate the certainty of a rapid and prodigious growth. The beet-sugar industry exhibits in the most perfect form we have yet known the most approved principles of protection.

Heretofore the farmer has been compelled to find his justification of protection, from the standpoint of personal interest, in the prosperity reflected from the industrial artisan, and in the main he has, through good report and evil, been bravely loyal.

Since our platform of 1896 gave a party's guaranty of permanence the people took us at our word, and we have demonstrated that in the beet-sugar industry we could more vividly than in any other enterprise illustrate to the American farmer on his own broad acres the beneficence of the American system of protection.

The American market for over \$100,000,000 worth of sugar annually is rightfully his. We shall encourage no policy which delays the time when he shall come into his own.

2. As to the fancied duty to Cuba because of a distress which is only apparent in the admitted fact that every man on the island has all the work he can do at higher wages than he ever before received, we have only to say that the low price of sugar is a mere business condition of temporary character, and that to compromise with it on the terms proposed is, in its interference with the policy of protection, to pay too high a price for all the good that can possibly come to those whom it is intended to benefit.

The proposition is to undertake to insure commercial and industrial prosperity in Cuba, a foreign country and a foreign government. If we undertake it, when and where are we to stop?

It is a startling proposition entirely outside of our governmental functions and our constitutional power.

Whenever we have undertaken to insure commercial and industrial prosperity in the United States, our own country, by means of a protective tariff, we have been bitterly assailed on the ground of paternalism.

Now, at the expense of our own labor, our own capital, and our own industry, and largely at the expense of a single industry, without reducing the cost of sugar to the American consumer, we are asked to extend the paternal hand to a foreign people on the ground that, having given them liberty, we are morally obligated to secure them commercial and industrial prosperity, even at the sacrifice of our own interests.

We emphatically deny that we are under any such obligation, morally or otherwise.

We insist that such an undertaking subjects the Congress of the United States to the charge of being false to its constitutional obligations, untrue to the people it represents, and, from a political standpoint, false to the pledges made by the party to the people when it asked and received their support.

3. Entirely independent of its effect on the beet-sugar industry as a present fact in established concerns, it would smother the further development of the industry through the scores of plants now in various stages of active advancement.

An industry which has grown fivefold in the last four years, and doubled since 1900, has in it the certainty of a future development so stupendous as to beggar prophecy and appeal with cogent force to our national pride.

4. In so far as the proposition professes to be in the line of Republican reciprocity, we assert that it is essentially a denial of that great policy. We deny that reciprocity is desirable except as a corollary to the greater policy of protection. Republican reciprocity, wise reciprocity, does not seek an exchange of products at the expense of any American industry; it does not seek to give—it does not give—commercial advantage to any foreign product which comes into competition with our own products; it does not seek an exchange of products which deprives any American artisan of his work or any American farmer of an opportunity to profitably till the soil.

This was explicitly declared by McKinley in his Buffalo speech in the following words:

"By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus."

And by President Roosevelt in his annual message in these words:

"And that reciprocity be sought for so far as it can safely be done without injury to our home industries."

5. To say that the duty on sugar is to be lowered on the plea that it helps Cuba is to say that it must always be lowered when Cuba needs help; and a reduction of one-fifth by the House of Representatives means that elsewhere, both in and out of Congress, the extent of that reduction shall be measured by the varying views of those who consider it.

It must, therefore, follow that the protective principle is to be subordinated to the question as to what amount of help Cuba may need.

With such a policy declared by a Republican majority, what wise business man can be induced to invest his money in the beet-sugar industry? What promise will there be of its future development?

And if that Republican majority is once constrained to such a policy, what license have we to believe that the citadel of protection will not be further assaulted in the house of its friends? When that time comes the days of Republican supremacy will be numbered.

Never more earnestly than at this hour have we been summoned to our duty; never has the cause of protection—to which we owe our party success and our national prosperity—more needed our undivided and unflinching support.

We pledged our faith in 1896 to the sugar growers of the country, and they took us at our word; in 1897 we kept the faith and passed the Dingley law, and the people, relying on that law and our party pride and tradition, proceeded to develop in amazing proportions the industry which we specifically encouraged them to enter.

We are told that the pending proposition will not hurt the beet-sugar producers; but surely no one anywhere has asserted that it would help them.

A tariff measure which has the unanimous indorsement of free traders is not above suspicion, and a search warrant will not be needed to find all the protection that is hidden away in it.

I ask my constituents and the country to read the same, and I feel confident that they will approve of my action on this measure.

We are to-day enjoying the largest measure of prosperity we have ever known. The country does not want tariff revision at this time. The country wants to be let alone. I regard this measure as the forerunner of tariff tinkering, and I beg of my Republican colleagues not to force this matter further, as it will surely produce lack of confidence in the business interests of the country, and we may be again approaching the dark and terrible days which followed the election of Mr. Cleveland in 1892.

As a Republican I propose to stand by the platform of my party. I propose to legislate as best I know how to continue the blessings which our people now enjoy. [Applause.] Our

people are busy, and prosperity and peace and plenty are abroad in the land. In the language of the distinguished Senator from Ohio, I beg of you, Republicans, "Let well enough alone." [Loud applause.]

Mr. MIERS of Indiana. Mr. Chairman, before voting in the exercise of a choice of evils presented by the bill before the House (H. R. 12765), I desire to enter my protest against its adequacy to effect the purpose which is its ostensible object. It claims to be a bill "to provide for reciprocal trade relations with Cuba"—a reciprocity bill. Webster defines reciprocity to be mutual obligations," and a reciprocity treaty as "a treaty concluded between two countries, conferring equal privileges as regards customs or charges on imports, and in other respects."

The Century Dictionary defines it to be "mutual responsiveness in act or effect," and "equality of commercial privileges between the subjects of different governments in each other's ports."

The enactment and enforcement of such a principle in a treaty would seem to be most beneficent, calculated to promote the peace and harmony of both, the welfare and prosperity of both. It would seem that if nations have any duties in relation to one another, the duty of reciprocity must stand at the head.

What is our duty to Cuba? Thomas Estrada Palma, president-elect of the Cuban Republic, on the announcement that the United States would withdraw from Cuba and permit her to take her place among the republics of the earth, published a declaration in which he said:

The Government of the United States has shown the most beautiful example of good faith in dealing with a weak government which it undertook to rescue from its oppressors. It has demonstrated its generosity and patriotism, and by the shedding of its own blood has helped Cuba to break the chain which united it with Spain. Some countries would have sought some pretext for selfish gain in undertaking a work of this character, and would have taken advantage of some technicality for their own aggrandizement, but the contrary spirit has been manifested by the United States, and it has given to the world an evidence of good will seldom found. The people of the United States have remembered their own Declaration of Independence, and have fulfilled a duty to mankind.

There is, Mr. Chairman, in this statement of President Palma, a fraternal spirit and a generous interpretation of our conduct which calls for the exercise on our part of reciprocity of a plenary kind. I need not say that there are many people in this country who could not sincerely indorse his declaration. There are hundreds of thousands—nay, millions—of people in the United States, and not a few under the roof of this Capitol, who hold that we have not treated Cuba as a loving mother would treat her child or a loving brother his junior; that having freed Cuba from Spain we had no right to impose our manacles upon her; that the Platt amendment included principles, defined relations, and imposed conditions which were as far as possible from reciprocity; that to establish suzerainty for an indefinite period over a beautiful land which we had promised to make independent was an act of perfidy, and that to establish laws of trade which carried poverty and destitution in their enforcement was not exactly in accordance with the great utterances of the Declaration of Independence, which Mr. Palma invokes, or the grand "self-denying ordinance" which bears the name of the senior Senator from Colorado.

The charter of our liberties, Mr. Chairman, declares that man has rights which are inalienable—rights of which he can not be robbed, and which he can not voluntarily surrender—the rights of life and liberty, without which happiness is impossible. It declares that governments derive their just powers from the consent of the governed. It declares, in spirit, that taxation without representation is tyranny, and that no people with an overlord can be free. These principles are now scouted and derided by the party which, forty years ago, considered them sacred and declared them undeniable. We are now told that men are not equal, and differences in height, form, color, education, and intellect are pointed out. But all men are equal in the sense in which the immortal Jefferson used the words—they are equal in their right to justice; they are equal before the law. We are told that all men are not born free—that some are born slaves.

I deny the proposition. All babes on earth are born free, though some have slavery imposed upon them by the thoughtlessness or cupidity of men. The sons of the Queen of the Antilles love freedom and equality of rights as much as we do. They have suffered in the struggle to attain them for hundreds of years. I know it is the fashion of tyrants who desire to trample nations under foot to slander their people and declare them loafers, bandits, and paupers, without any sense of justice, any aspiration for freedom, or any capacity for self-government. We have heard this vile calumny under this roof and seen it in the daily papers—scurrilous defamation seeking to show that they are unworthy of assistance and of sympathy.

When Weyler established his reconcentrado camps in Cuba a howl of angry denunciation went up from all parts of the country, not least vociferous from the camps of the Republican party. Attention was called to the poverty and destitution of the poor

prisoners of the tyrant. But since we have "taken over" Cuba all this seems changed. The poverty of the people is mentioned as a disgrace. They are called tatterdemalions by men who forget that our own forefathers struggled barefoot and in rags through the snows and swamps of the Jerseys to win the liberty which we have inherited. If the poverty of a people fighting for freedom is a disgrace, we must blot Valley Forge from our history and Marion's beggarly supper from the memory of our children.

The miserable provisions of this bill are perhaps better than nothing; but I remonstrate against it because it is not reciprocity and because it will not promote the prosperity and happiness of the Cuban people. Twenty per cent is a bagatelle, and it is in the interest of the sugar trusts and will give no relief to the Cubans. Fifty per cent would be much better, but I would ten times rather vote for a bill offering true reciprocity by taking off all the duty and making them free indeed. Having made Cuba our ward, we are under the most sacred obligations to take good care of her. We should adopt no temporary or transient policy. Some legislators seem to think only of the present day, and act as if ordaining justice was not at all essential to the happiness of Cubans or Americans. "You take these matters too seriously," they tell us; "things will come all right; there is no cause for worry." These devil-may-care mortals, anxious only for the present moment, remind us of that other stepmother to a large and suffering community, the optimistic Mrs. Squeers, who, when an unusually offensive dose of brimstone and treacle extorted an unusually exasperating howl of anguish, was accustomed to say, in consoling accents, "It'll all be the same in a hundred years."

We should legislate for the future. We should so legislate as to make all Cubans glad that Weyler was driven away and that Spain was compelled to relinquish her hold. Under Spain Cuba had an immense representation in the Spanish Cortes—the parliament at Madrid. Under Spain Cuba had a representation to justify taxation. Under Spain she had free trade and could sell her sugar and tobacco to whom she would. Shall we Americans adopt and enforce a policy contrasted with which the policy of Spain will seem generous and magnanimous? I would foster Cuba's interests in every possible way. Some distinguished and foolish person—I am afraid to say he was a member of Congress—perhaps the author of the Platt amendment, while in favor of coercing and dominating Cuba, has spoken of her as "our economic enemy." This designation recalls to our minds the plaint of the inebriated old Eccles in the play of "Caste," who, wanting wherewithal to get a drink, steals his baby grandchild's necklace and denounces him as a bloated aristocrat and oppressor of the poor.

Perhaps Cuba may some time seek to come into our fold. If she does so seek, and so declare, after a fair and honest general election, I would consent to hear her with every assurance of friendship and equality. But it must be after full discussion and a clear understanding.

Let it be remembered that we have made magnificent promises to Cuba, while we have promised nothing to the Philippine Islands beyond the pledges which are implied by the Declaration of Independence and by our century of history. As far as written promises go, therefore, we are under specific obligations to the Cubans.

It is still legal to hold a political meeting in Cuba. It is still permitted to read the Declaration of Independence on that island, either secretly or vociferously. But this great charter of our rights is tabooed in the islands of the Pacific. We can not quote too often for the benefit of the American people the prohibition of the War Department in order 292, section 10, entitled "An act defining the crimes of treason, etc.," and enacted "by the United States Philippine Commission, by authority of the President of the United States." It reads as follows:

Until it has been officially proclaimed that a state of war or insurrection against the authority or sovereignty of the United States no longer exists in the Philippine Islands it shall be unlawful for any person to advocate orally or by writing or printing or like methods the independence of the Philippine Islands or their separation from the United States, whether by peaceable or forcible means, or to print, publish, or circulate any handbill, newspaper, or other publication advocating such independence or separation. Any person violating the provisions of this section shall be punished by a fine of not exceeding \$2,000 and imprisonment not exceeding one year.

Of course circulating the Declaration of Independence or the bill of rights would be a violation of this order. It would tend to excite in the Filipinos a desire to be free. Is it true, as a popular American newspaper has alleged, that a distinguished Army officer recently characterized the Declaration of Independence as "a damned incendiary document?" Whether this report be true or not, is it not true that this is a fair characterization of that document in all regions subject to this order of Taft, approved by the President of the United States? Schools of a curious kind, in which the teachers and pupils can not understand each other, are being established in the Philippines, but the pupils can not be

permitted to declaim Patrick Henry's speech, "The sword of Bunker Hill," or—

Freedom's battle, once begun,  
Bequeathed from bleeding sire to son,  
Though baffled oft, is ever won.

or extracts from Webster's speeches or Lincoln's messages, or that patriotic outburst—

Stand! The ground's your own, my braves!  
Will you give it up to slaves?  
Will ye look for greener graves?  
Hope ye mercy still?  
In the God of battles trust!  
Die we may, and die we must,  
But, oh, where can dust to dust  
Be consigned so well  
As where heaven its dew shall shed  
On the martyr patriot's bed,  
And the rocks shall raise their head  
Of his deeds to tell?

The fact is, if the Declaration of Independence is to remain repealed as far as the Philippine Islands are concerned, and this ukase of Mr. Taft's is to stand, all the reading books that go to the schools of the Philippine Islands must be revised to suit that longitude. Neither the brown youngsters nor their parents can be permitted to read any history of the United States. The situation bears some resemblance to that in the Bermudas, where the British commander has forbidden the distribution to the Boer prisoners of the books of Psalms sent out from this country on the ground that some of the Psalms are aggressive and warlike and "calculated to encourage false hopes."

Our mistake in dealing with Cuba has been in not carrying out in word and letter the joint resolution which Senator TELLER offered and President McKinley signed, and of which this is the last section:

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island [of Cuba], except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

This might be called a conscience offering to justify to the American people their own action. It was universally accepted as pledging the United States to retire immediately from Cuba just as soon as the Spaniards were expelled and the island delivered to the Cubans. It was adopted four years ago—April 20, 1898. The Spanish war ended in the treaty of Paris eight months later. From that day to this we have heard of no single act of disorder in Cuba. Since that date and that action Cuba has been as peaceful as Indiana—as peaceful as New England.

Yet the Administration deemed that the adoption and imposition of the Platt amendment was essential to the pacification of Cuba! In fact, the pacification of Cuba is the only excuse for the adoption of that amendment. For on June 14, 1901, the author of that amendment, in a public speech in New York City, declared that "during the last two years and a half not an American soldier in Cuba has been called outside of barracks for military service." When asked what he meant by alleging that his amendment was necessary to the island's pacification, he said, virtually, "If we do not bind her hand and foot, she may some future day become turbulent and unpacified."

So an alleged "treaty" has been made, forcibly imposed upon Cuba by the United States, binding her to do certain things and to forego doing certain other things. It is by sacrificing her independence that she has become independent. Is she happier than she was under Spain? Is she more prosperous than she was under Spain? Has she the liberty we promised her and what she had a right to expect of the American Republic? Let her people answer, when they get a chance. Let us solicit an answer from the American-Spaniard, Mr. Palma, who, a citizen of New York for many years, has now been declared elected President of Cuba, but hovers, shivering, in the American metropolis, fearing to return to his native land to be inaugurated.

The mistakes which many well-meaning Americans make concerning this subject are these: First, they assume that our Republic can seize subject provinces and hold vassals because the monarchies of the Old World do so. Second, they assume that no people are fit for self-government who have an idea of government differing from our own. Let us examine these. If this Republic can rightly steer as a buccaneer across the seas, lay hold of defenseless islands, and brand them as its own, against the will of their millions of inhabitants, then the Declaration of Independence is not true and the peans we have raised to liberty are but the cant of hypocrites. Gibbon calls attention to the fact that the Republic of Rome first felt its foundations sapped when it reached out its bandit hand and seized Sicily and other outlying nations to increase its power. Anthony Froude, the distinguished historian, says in Chapter I of his *Cæsar*:

If there be one lesson which history clearly teaches it is this: That free nations can not govern subject provinces. If they are unable or unwilling to admit their dependencies to share their own constitution, the constitution itself will fall to pieces from mere incompetence for its duties.

This was the very mistake which England made in dealing with her American colonies. She taxed them lightly, to be sure. She let them have their own way in most matters, but she refused to admit them to the equal rights of British citizenship. This is the mistake which England makes in dealing with Ireland. She allows Ireland representation in Parliament, but imposes upon its people disabilities that are intolerable. The brand of Great Britain is upon India. Being a monarchy, she can hold down the oriental empire with a mailed hand. She is endeavoring to put her brand upon the Boer republics of South Africa, but up to the present time has succeeded only in marking them faintly with a rubber stamp.

Great Britain has killed the Boers, but they are still there; she has beaten them, but they are unconquered; she has scattered them to the four quarters of South Africa, but she meets them on every crossroad; she has made camps of death along the railroads and protected her soldiers behind these prison pens of Boer women and children, but Botha, Delarey, and De Wet carry on the campaign with a desperate resistance hitherto unknown in the history of warfare. Kitchener says to the Boer women: "Send for your husbands to come in and surrender and we will change your swamp camp to the hillside and spare your babies' lives;" and the Boer mothers, braver than the Spartan mothers, answer Kitchener back: "Murder us if you will and kill our babies; we tell our husbands to fight on." These heroic women and their babes, according to the account the British themselves send us, are dying at the rate of four or five hundred to every thousand in a year, and still the mothers spurn the tyrants' offer of bread presented as a bribe. And this free Republic says not a word.

In the entire Transvaal and Orange Free State there are fewer people, counting men, women, and children, than there are in the city of Washington, and the Boer men are reduced to a mere handful fighting against the fearful odds of 15 to 1. Of these heroes, the Boer delegates to America who were refused audience by the President, issued a statement before sailing for Europe in which they said:

Their farms have been ruined; their houses burned; their stock and agricultural implements destroyed; their orchards leveled to the ground; their women and children driven by force into those awful deathtraps—the concentration camps—resulting in the loss of whole families in an incredibly short space of time; their leaders, some already banished for life, and the others, according to proclamation, with the same fate before them; their property liable by proclamation to confiscation, in order to pay for the horrible reconcentrado system; their generals, leaders, and burghers, like Lotter, Scheepers, Louw, and others, shot or hung after court-martial—the veriest travesty of justice when the life of an enemy is at stake during war, when men's passions are inflamed and their judgment clouded—and, lastly, no definite prospect before them, in case they surrender, but the very definite statement of Lord Salisbury, that they shall not have a shred of independence.

We respectfully urge upon everybody in the interest of civilized methods of warfare to protest, first, against the system of concentration camps; second, against the execution of our leaders and generals, and, third, against the proclamation of banishment and confiscation.

These are noble descendants of the "free Frisians" of old, whose boast it was that no Roman taxgatherer had ever set foot among them, and of the Dutchmen who in a later day for generations resisted the power and the cruelty of Alva. And these burghers have been reenforced by the blood of the Huguenots, men who amid suffering and every privation so long withstood the terrible siege of La Rochelle.

Bertrand Shadwell, of Chicago, well sums it up as follows:

I've read my "Mottey," and I see again  
Some of its stubborn Dutchmen on the stage—  
Pick of Prince Maurice's own fighting men  
Come back to life from that historic page—  
The same old dogged valor, calm resolve  
To free their land or sleep beneath its sod  
(As constant water-drops the rocks dissolve).  
The psalm, the prayer, the steady faith in God.  
I see pale Philip in his palace halls  
Reading the last dispatch which Alva sends:  
"To-day the mine is sprung, the city falls.  
The leader dies, and all resistance ends."

And still, their captain captive, wounded, dead  
(Who was their heart, their brain, their sword, their steed),  
Another and another in his stead  
Springs to the van to battle and to bleed.  
Doomed and defeated in a hundred fields,  
When all but honor seems forever gone,  
There's not a man who owns his freedom yields,  
But, undespairing, still they struggle on.

The concentration camps which the British have established in South Africa are places of indescribable and inconceivable torture—veritable camps of death. The motive behind their existence seems to be the cumulation of so much distress as to intimidate the fighting men in the field and compel their withdrawal. If the fighting men persist, the only ultimate result seems to be extermination. Even the London Times, the Government's own, published a year ago letters from its correspondent in the field, of which the following are portions:

In one tent I saw a 6 months' baby gasping its life out on its mother's knee. The doctor had given it powders in the morning, but it had taken nothing

since. There were also two or three others drooping and sick in that tent. In the next, a child recovering from measles, sent back from the hospital before it could walk, lay stretched on the ground, white and wan, while three or four others were lying about. In another, a dear little chap of 4 had nothing left of him but his great brown eyes and white teeth, from which the lips were drawn back, too thin to close. I can not describe what it is to see these children lying about in a state of collapse. It is just exactly like faded flowers thrown away. And one has to stand and look on at such misery, and be able to do nothing.

Though many of the officers in charge of the different places are really kind and do what they can to help, frequently the women are in want of almost the absolute necessities of life. In some cases there is so little fuel that on many days people can not cook at all their scanty rations of raw meat, meal, and coffee; while we learn that clothing is very scarce, some women having made petticoats out of thick, rough brown blankets, and nearly all the children have nothing left, but a thin print frock; while shoes and stockings are long since worn-out. Some of those who have recently come into the camps are shortly expecting their confinement, and yet they have to sit all day upon the bare ground, drenched with storms, or try to rest within their tents, while the sun pours down through their single canvas and the temperature reaches 105°, or even 110°; and with the winter, which is shortly coming on, we fear that their sufferings from the cold will be even more intense than the hardships which they have endured in consequence of the excessive heat. Most of them have no mattress on which to lie down, and are subject to any inclemency of the weather. Of course, anything like privacy is out of the question.

The Times said a year ago:

Miss Hobhouse has been able to do something to alleviate the worst cases of distress, and the military authorities have shown themselves willing to adopt various suggestions which her woman's wit has put forward on behalf of her suffering sisters.

But when this same Miss Hobhouse went again to South Africa last fall to bring home reports from the concentration camps, she was not allowed to leave Cape Town, and a letter from there states that—

When the return steamer was ready to sail for England she was notified to take it. She declined, and was tied in her chair with her shawl and carried to it by five soldiers.

The Red Cross Society also, the angel visitant of all armies, has been prohibited from visiting the concentration camps.

The following extract from a letter from a clergyman's wife in one of these pestilential prisons gives some idea of its condition:

WOMAN'S CAMP, January 3, 1902.

I am afraid we will all die of fever if we remain much longer in this crowded and closed camp. The wire fencing is quite close to the tents, and there is no air, and there is no chance for a walk in order to get a little fresh air. We can not even go into town any more. Measles, whooping cough, and fever have been raging most furiously among old and young. Oh, to see the dear little children wasting away like tender plants before the hot rays of the sun. Every day there are 2, 3, up to 8, to be buried. We can not live in these single Bell tents; they are too hot in the daytime, even though the lower part is rolled up.

All of a sudden a thick cloud comes from the Natal Mountains; it rains, and you go in for the night with a very cold, damp wind playing upon you all night. Often these tents leak, for some of them are old and thin. Many a measles patient was wet all over, and consequently died of inflammation of the lungs. Even though the tents do not leak, still your bed and clothes and everything gets quite damp on rainy nights. We have to fasten up the openings of the tents on rainy days and creep in underneath, through the mud. Oh, it is a horrid life. There are broken hearts in almost every tent. "Rachel weeping for her children, and will not be comforted, for they are not." Oh, when will an end come to all this suffering and abomination of desolation? "My soul is troubled therewith." Poor Mrs. L. is no more; she got the measles; her tent was near mine. I watched over her and brought her food. She did not seem bad at first, but her tent got wet and she got inflammation of the lungs. I went immediately for the doctor; he had his hands so full that he could only come three days later. He took her to the hospital, where she died the same day in full confidence of her Saviour. May we be enabled to sing "Peace on earth," for now it is hell in South Africa; and, oh, I can not stand it any longer.

YOUR LOVING FRIEND.

From one farmhouse alone 10 children died. In nine months the official returns show (February, 1902) an increase in the death rate among the children of 450 to the thousand, and one of the semi-official statements declares that "not a child under 2 years of age is left alive in the Transvaal" at this time.

Instead of fighting barbarians, Great Britain in this war has proved herself barbarian. She has taken to killing her prisoners of war on the plea that they are traitors. The disgraceful act which the United States was not driven to during four years of desperate rebellion is not too disgraceful for Great Britain to adopt as one of the rules of her warfare. Not only private soldiers have been deliberately murdered by her under pretense that they owed her allegiance, but such great commanders as Scheepers have been ceremoniously executed in the presence of their relatives and friends on the ground that they were rebels against British authority.

In sharp contrast to this the Boers, who have captured twice as many prisoners of war as they number fighting men, have let them all go without even a parole, and when they caught the great pet of London society, Lord Methuen, they merely said a prayer over him and released him. Some of the friends of the burghers indeed charged them with an excessive humanity. But it is certainly a humanity for which, even if Quixotic in its tenderness, they will not be likely to suffer in the judgment of history.

The dreadful fact that the United States is in some sense an ally of Great Britain in this war upon the Boers is one for which the American people when they next go to the polls will not be likely

to forgive this Administration. More than half a hundred thousand horses have been corralled in the West by British quartermasters, driven on British transports without disguise, and carried to reinforce the British army in South Africa. The Administration has not been able to find in its principles or its feelings any warrant whatever for interfering in this shameful traffic. The people, when the question reaches them for solution, may not be so blind or so dumb.

When the dastardly war of England against South Africa began her defenders affirmed that the Boers were ignorant and filthy barbarians and not fit for self-government. She made exactly the same plea that our Government is making against the Filipinos. They are both equally mistaken. The most ignorant and debased people on earth are fit for self-government. They may not be fit for a republic, but a republic is not necessarily the best form of self-government. A monarchy may be the best form of government for those who are not fit for anything better. But whether they establish a republic or a monarchy or an absolute despotism, every people on earth are qualified to govern themselves. They may not have newspapers, they may not have schools, they may not cherish high aspirations, but they know better than anybody else can know the conditions that prevail among them and the environment in which they live.

It is for this reason that the Papuans are better qualified to govern themselves than the people of Massachusetts are to govern them. It is for this reason that the people of Boston, Philadelphia, or Chicago could not make the Society Islanders, Greenlanders, or Patagonians more happy by seizing their lands and trying to teach them a lofty civilization. Therefore, to discuss the question whether any given people are qualified for self-government is to waste time and breath. All people on earth are so qualified. If this Republic shall hold in fee the Sulu Archipelago for a hundred years, it is doubtful if it succeeds in increasing one iota the happiness of its people. The only benefit one nation can confer upon another is in establishing reciprocal (preferably free) commercial relations and in setting a friendly example in improved methods.

For the people of these States to insist that the inhabitants of Luzon, Samar, Mindanao, and Guam are not qualified for self-government merely because their character, relations, civil and social customs, and personal requirements demand a kind of government different from ours is an exhibition of towering conceit. If our temporary possession of Cuba, Porto Rico, and the Philippines is to be anything better than an unmitigated curse for them and us, we must show that we love liberty so well that we will concede it to them the moment they demand it. We must restrain our egotistical declarations of supremacy; we must concede to them abundant capability for self-government; we must sheathe our sword without hesitation or delay, and we must set them an object lesson in prudence, kindness, progress, modesty, wisdom, love, justice, and self-control and self-denial that will make us, without asserting it, an exemplar of what enlightened self-government ought to be. [Loud applause.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PAYNE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment joint resolutions of the following titles:

H. J. Res. 173. Joint resolution to authorize the Commissioners of the District of Columbia to issue certain temporary permits; and H. J. Res. 155. Joint resolution granting permission for the erection of a monument in Charlotte, N. C., for the ornamentation of the public grounds in that city.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7675) to construct a light-house keeper's dwelling at Calumet Harbor.

#### RECIPROCITY WITH CUBA.

The committee resumed its session.

Mr. KLEBERG. Mr. Chairman, this bill, unless it be properly amended, is a sham and a pretense on its face. Pretending to give aid to Cuba, it demands as a condition precedent of Cuba the enactment of immigration, exclusion, and contract-labor laws as fully restrictive of immigration into Cuba as the laws of the United States before our Government is to enter into negotiations of reciprocal trade relations with Cuba. It further requires concessions in favor of the products and manufactures of the United States by rates of duty which shall be less by an amount equivalent to at least 20 per cent ad valorem upon such products and manufactures than the rates imposed upon the like articles when imported into Cuba from the most favored of other countries. Then, and not till then, shall there be a reduction of the tariff of the United States against Cuba.

In other words, Cuba must first shackle herself with such immigration, exclusion, and contract-labor laws and restrictive tariffs against other nations as we choose to impose upon her before she is to receive our 20 per cent tariff reduction. I submit that this kind of help to Cuba is very much like cutting a man's head off to cure him of the headache—the remedy is most effective, but it does not benefit the patient. It occurs to me that the Platt amendment has already deprived Cuba of much of the independence that was vouchsafed her by the Teller amendment and that if we now pass the Payne reciprocity bill, there will be nothing more left, in point of fact, than a military possession, and we shall have simply added another colony to our already large variety. It strikes me that if Cuba actually asks for bread, we are giving her a stone and that this bill is completely stripped of its mask of pretended American generosity when it is conceded that the 20 per cent reduction of the tariff on her raw cane sugar will not materially aid her and that the probability is that the \$8,000,000 which we take out of the United States Treasury annually is not likely to go to Cuban sugar producers, but will most likely find its way into the pockets of the American sugar refining trust.

From the arguments both for and against the bill this pretended aid for Cuba has become a hollow mockery, and the artful scheme to strike down the American production of raw cane sugar in the Southern States and refined beet sugar in the Western States is as plain as the nose on a man's face.

Is it a tariff-reform measure? No. It does not even pretend to be such, as it can only affect two Cuban products, sugar and tobacco; neither does it pretend to reduce the tariff on a single manufactured article, such as the American farmer or consumer needs and which enter into his daily consumption or use. Does it cheapen the price of refined sugar to the American consumer? No. It rather tends to raise it, by allowing the sugar trust to drive refined beet sugar out of the home market and permitting the Cuban sugar planter to cripple the American producer of cane sugar. It does not even cheapen the necessities of the Cubans, but changes the new Cuban revenue tariff as to importations from other foreign markets to a prohibitive tariff and permits the American manufacturer to add this prohibitive tariff to the price of his goods in Cuba. The Platt amendment, so called, does leave Cuba free to make commercial treaties with foreign nations; this bill aims to fetter the commercial freedom of Cuba.

But we are told that as Democrats we must support this bill in its present form because it reduces the tariff on raw sugar and is, therefore, to that extent a tariff reduction and conforms to Democratic tariff doctrine. To this position I can not assent. As a Democrat, I insist that a tariff should be for revenue, so laid as not to discriminate between classes and sections, and that it should be so adjusted as to equalize as much as possible the burden of indirect taxation, and that it should not discriminate in favor of the finished product of the manufacturer as against the raw product of the agriculturist. Necessarily, every tariff, whether for revenue or otherwise, must carry with it incidental protection to the article upon which it is levied. As a Democrat, I claim that the same incidental protection which is afforded the manufacturer should be afforded the producer of raw material, and I insist, as a Southern Democrat, that in this instance it is not fair and just or equitable to single out raw sugar and tobacco, both products of the South, and discriminate against them by reducing the tariff 20 per cent on raw sugar and not cutting off the differential on all imported refined sugar.

We are told in one breath by advocates of this bill that the reduction of the tariff on raw cane sugar will help Cuban planters, but will not injure the cane growers of Louisiana and Texas. This is strange logic indeed. This is equal to saying that if I take 20 cents from A and hand it over to B it will enrich A to that extent. The very fact that the tariff on raw sugar is lowered in this bill, whether it entails an actual loss or not, is sufficient to discourage the cane industry of the Southern States. Who will go into business or extend his investment therein with the threat implied in this measure, that the Cuban cane grower is to eventually drive the American cane-sugar grower out of the field? What effect will such unfriendly legislation have upon the domestic capitalist who has his eye now turned to the rich sugar lands of Louisiana, Texas, and Florida? Speaking of my State, I may say that Texas has an area of sugar lands equal to the whole of our sister State, Louisiana, and it is being rapidly developed into rich sugar fields dotted with sugar mills. Is this measure going to encourage or discourage this enterprise which now affords investment of domestic capital and employment of home labor? With me charity begins at home.

In the section of the great State of Texas which I have the honor to represent the cotton-boll weevil is making its ravages on the cotton planter and has almost forced him out of the business, and he has turned to producing sugar and molasses from cane, and is largely embarking in the production of these enterprises. How is this sort of legislation going to affect him? Will

it not deter him in these new enterprises—cheapen his lands and investment and depress the wages of those who work in the sugar-cane fields of Texas? Do not comfort these American producers by saying we have not reduced the tariff much on sugar and tobacco. What is to stem this sort of tariff discrimination from finally taking the entire tariff from raw sugar and tobacco and including every product of the Southern farmer?

This bill is but the avant-garde of a series of measures that must follow the selfish policy of Republican reciprocity which will tend to discriminate against the raw material of the South; such a policy once begun is not apt to halt until all of the raw material of the Southern States is placed on the free list. No one is more willing to vote for tariff reductions on necessities than I am; take off the differential on all refined sugar imported into the United States, and I will vote for this bill; lower the tariff on farming implements, wire, nails, twine, bagging, paper pulp, etc., and I will vote for your bill; present any just tariff reform, and I will vote for it, but I shall not consent to a measure which strikes at a product of the Southern and Western farmers without offering to place a corresponding burden on the manufacturer. [Loud applause.]

Mr. PRINCE. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. Mr. Chairman, there seems to be no one ready to go on. I want to give notice that if this occurs again we will go on reading the bill. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose, and the Speaker pro tempore (Mr. LACEY) having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12765, and had come to no resolution thereon.

#### ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

- H. R. 12490. An act granting an increase of pension to Joseph Culbreath;
- H. R. 7847. An act granting an increase of pension to Charles S. Wilson;
- H. R. 7290. An act granting an increase of pension to Lizzie B. Green;
- H. R. 6023. An act granting an increase of pension to Robert L. Ackridge;
- H. R. 2613. An act granting an increase of pension to Thomas H. H. Gibbs;
- H. R. 4172. An act granting an increase of pension to George R. Chaney;
- H. R. 11025. An act granting a pension to Mary A. Carlile;
- H. R. 291. An act granting a pension to Christina Heitz;
- H. R. 3260. An act granting a pension to Jacob Golden;
- H. R. 7613. An act granting an increase of pension to Evaline Wilson;
- H. R. 12275. An act granting a pension to Amelia A. Russell;
- H. R. 4055. An act granting an increase of pension to Henry E. De Marse;
- H. R. 1476. An act granting an increase of pension to Henry F. Benson;
- H. R. 4176. An act granting an increase of pension to Nathan W. Snee;
- H. R. 1685. An act granting an increase of pension to Augustus E. Hodges;
- H. R. 8427. An act granting an increase of pension to Sarah E. Allen;
- H. R. 1485. An act granting an increase of pension to Thompson B. Moore;
- H. R. 1709. An act granting an increase of pension to Edwin J. Godfrey;
- H. R. 11916. An act granting an increase of pension to Andrew B. Spurling;
- H. R. 3352. An act granting an increase of pension to Margaret M. Boyd;
- H. R. 3884. An act granting an increase of pension to Erastus C. Moderwell;
- H. R. 10710. An act granting an increase of pension to Frances E. Scott;
- H. R. 12395. An act granting a pension to Ruth Bartlett;
- H. R. 3354. An act granting an increase of pension to Thomas Young;
- H. R. 4116. An act granting an increase of pension to William Berry;
- H. R. 9378. An act granting a pension to Clara B. Townsend;

H. R. 9654. An act granting a pension to John S. James;  
 H. R. 3876. An act granting an increase of pension to Theophile A. Dauphin;  
 H. R. 7525. An act granting a pension to Marion Barnes;  
 H. R. 10957. An act granting an increase of pension to Mary E. Stockings; and  
 H. R. 184. An act to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 176. An act to provide for the extension of the charters of national banks.

#### ORDER OF BUSINESS.

Mr. PAYNE. Mr. Speaker, by an order made the other day Tuesday of next week was set apart for war claims. I would like to have that order changed from Tuesday to Friday—that is, simply changing the day from Tuesday to Friday—and I understand from my colleague, Mr. SHERMAN, that this would be acceptable to the chairman of the Committee on War Claims, Mr. MAHON.

Mr. SHERMAN. Mr. Speaker, I saw the chairman of the Committee on War Claims, Mr. MAHON, just before he left the city, and he said to me that if this question arose I might say that if some other day would better accommodate the House he was entirely willing to have a later day substituted for Tuesday under an order precisely the same as that under which we would operate on Tuesday.

The SPEAKER pro tempore. The Chair would suggest that next Friday would be the day for the Committee on Claims.

Mr. PAYNE. My information is that it would be for war claims, as war claims has had no day yet.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that Friday, a week from to-morrow, be substituted for next Tuesday for the Committee on War Claims. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. Mr. Speaker, I wish we could arrange to-night for closing the general debate. If any gentleman has any suggestion to make—

Mr. RICHARDSON of Tennessee. Mr. Chairman, I understood that debate was to run until 5, but the gentleman did not occupy the time that he was expected to this evening.

Mr. PAYNE. I did not hear the gentleman.

Mr. RICHARDSON of Tennessee. I do not want to consent that members who desire to shall not have an opportunity to be heard.

Mr. PAYNE. I suggest that we close general debate on Tuesday of next week and take up the bill on Wednesday under the five-minute rule. That will leave three more days for general debate.

Mr. RICHARDSON of Tennessee. I would not be willing, with only two or three dozen gentlemen present, to agree to that, when objection was made by the gentleman from Minnesota; and I call for the regular order, at present.

Mr. PAYNE. Well, I move that the House adjourn, Mr. Speaker.

The motion was agreed to.

And accordingly (at 4 o'clock and 42 minutes p. m.) the House adjourned.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of J. C. Sutton and F. S. Black, administrators of estate of Allen Black, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Ellen Bray and Bridget Wetcher, heirs of estate of James Jennings, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Martha S. Carmichael, sole heir of estate of Emeline Hutchins, against the United States—to the Committee on War Claims, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. RAY of New York, from the Committee on the Judiciary,

to which was referred the bill of the House (H. R. 11060) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, reported the same without amendment, accompanied by a report (No. 1522); which said bill and report were referred to the House Calendar.

Mr. LACEY, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 2979) to ratify an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect, reported the same with amendments, accompanied by a report (No. 1524); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9324) construing the provisions of the act approved March 3, 1879, exempting from the limitations named therein the claims to pension by or in behalf of children under 16 years of age, reported the same without amendment, accompanied by a report (No. 1525); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12141) to amend an act entitled "An act amending section 4708 of the Revised Statutes of the United States, in relation to pensions to remarried widows," approved March 3, 1901, reported the same with amendment, accompanied by a report (No. 1526); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 3908) granting homesteaders on the abandoned Fort Bridger, Fort Sanders, and Fort Laramie Military reservations, in Wyoming, the right to purchase one quarter section of public land on said reservations as pasture or grazing land, reported the same with amendments, accompanied by a report (No. 1532); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COOPER of Wisconsin, from the Committee on Insular Affairs, to which was referred the bill of the House (H. R. 13445) temporarily to provide for the administration of civil affairs in the Philippine Islands, and for other purposes, reported the same without amendment, accompanied by a report (No. 1540); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 3663) to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway, reported the same without amendment, accompanied by a report (No. 1541); which said bill and report were referred to the House Calendar.

Mr. PEARRE, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 4792) relative to the control of dogs in the District of Columbia, reported the same with amendment, accompanied by a report (No. 1545); which said bill and report were referred to the House Calendar.

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11060) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions," submitted the views of the minority of said committee (Report No. 1522, part 2); which views were ordered to be printed and referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2063) granting a pension to Ida S. McKinley, reported the same without amendment, accompanied by a report (No. 1527); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 10678) for the relief of the Florida Brewing Company, reported the same without amendment, accompanied by a report (No. 1529); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 201) granting an increase of pension to Jane K. Hill, reported the same with amendment, accompanied by a report (No. 1533); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12370) granting a pension to Ida M. Briggs, reported the same with amendments, accompanied by a report (No. 1534); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11343) granting a pension to Mary Louise Lowry, reported the same with amendments, accompanied by a report (No. 1535); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 624) granting a pension to Dorcas McArdle, reported the same with amendments, accompanied by a report (No. 1536); which said bill and report were referred to the Private Calendar.

Mr. SELBY, from the Committee on Pensions, to which was referred the bill of the House (H. R. 13066) granting an increase of pension to O. D. Jasper, Mexican war veteran, reported the same with amendments, accompanied by a report (No. 1537); which said bill and report were referred to the Private Calendar.

Mr. WILEY, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9794) granting a pension to Zebulon A. Shipman, reported the same with amendments, accompanied by a report (No. 1538); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11850) granting an increase of pension to Susan A. Volkmar, reported the same with amendments, accompanied by a report (No. 1539); which said bill and report were referred to the Private Calendar.

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 2966) for the relief of George W. King, reported the same without amendment, accompanied by a report (No. 1542); which said bill and report were referred to the Private Calendar.

Mr. SCHIRM, from the Committee on Claims, to which was referred the bill of the Senate (S. 3421) for the relief of Eleonora G. Goldsborough, reported the same with amendment, accompanied by a report (No. 1543); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13217) granting an increase of pension to Thomas W. Dodge, reported the same with amendments, accompanied by a report (No. 1544); which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. GRIFFITH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 114) to reopen and readjust the accounts of certain registers and receivers of the United States land offices, and for other purposes, reported the same adversely, accompanied by a report (No. 1523); which said bill and report were laid on the table.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 13297) granting a pension to Martin Greeley—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13396) granting an increase of pension to Jennie Wagner—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13423) granting an increase of pension to Elizabeth Wall—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8571) to authorize and direct the Secretary of War to compute the amount of pay and allowances of Fitz-John Porter, as major-general of Volunteers and as colonel, United States Army, from January 28, 1863, to September 1, 1866, and from September 1, 1866, to August 7, 1886, respectively, and making appropriation of the necessary amount for the payment of the same to his widow and children—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 1269) appropriating \$248 and interest from May 10, 1864, to pay William D. Hubbard as a scout, guide, etc.—Committee on Appropriations discharged, and referred to the Committee on War Claims.

A bill (H. R. 4149) granting a pension to Edna K. Hoyt—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6670) granting a pension to Hercules H. Price—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. NAPHEN: A bill (H. R. 13501) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States, approved July 24, 1897—to the Committee on Ways and Means.

By Mr. GARDNER of Michigan: A bill (H. R. 13502) to prevent robbing the mail, to provide a safer and easier method of sending money in small amounts by mail, and to increase the postal revenues—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN (by request): A joint resolution (H. J. Res. 174) to cancel assessments for benefits under street-extension act of February 10, 1899, in the District of Columbia, and a new assessment ordered without limiting the jury—to the Committee on the District of Columbia.

Mr. OLMSTED, from the Committee on Elections No. 2: A resolution (H. Res. 206) on the contested-election case of John J. Lentz v. Emmett Tompkins—to the House Calendar.

By Mr. HENRY of Connecticut: A resolution (H. Res. 207) for a rule to consider H. R. 9206—to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BROMWELL: A bill (H. R. 13503) granting an increase of pension to Charles Haltenhof—to the Committee on Pensions.

By Mr. CLAYTON: A bill (H. R. 13504) for the relief of W. D. Caddell—to the Committee on War Claims.

By Mr. GILLETT of Massachusetts: A bill (H. R. 13505) granting an increase of pension to William F. Stanley—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 13506) granting an increase of pension to Eli S. Weathers, late of Company B, Sixth Kansas Volunteers—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 13507) granting a pension to Samuel Short—to the Committee on Invalid Pensions.

By Mr. LESSLER: A bill (H. R. 13508) granting a pension to William Hearn—to the Committee on Pensions.

By Mr. MARSHALL: A bill (H. R. 13509) granting an increase of pension to George H. Fay—to the Committee on Invalid Pensions.

By Mr. McCLEARY: A bill (H. R. 13510) granting an increase of pension to James P. Thomas—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 13511) granting an increase of pension to Joanna R. Forster—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 13512) for the relief of John Scott—to the Committee on Claims.

By Mr. SHALLENBERGER: A bill (H. R. 13513) granting an increase of pension to Jason O. Keeney—to the Committee on Invalid Pensions.

By Mr. SELBY: A bill (H. R. 13514) granting an increase of pension to Margaret Murray, widow of William Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13515) for the relief of Evermont Nicholas, deceased, to remove the charge of desertion—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky (by request): A bill (H. R. 13516) granting a pension to Addie L. McFelia—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 13517) granting a pension to Tabitha L. McGlasson—to the Committee on Invalid Pensions.

By Mr. STEELE: A bill (H. R. 13518) for the relief of Julia A. Pierce and John Pierce, heirs of John C. Pierce, deceased—to the Committee on War Claims.

By Mr. TAWNEY: A bill (H. R. 13519) granting an increase of pension to James M. Clements—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 13520) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.—to the Committee on Claims.

By Mr. VANDIVER: A bill (H. R. 13521) for the relief of the legal representatives of H. S. Thompson, deceased—to the Committee on War Claims.

By Mr. WHITE: A bill (H. R. 13522) giving military record to James Mitchell—to the Committee on Military Affairs.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Petition of St. John's Society, of Buffalo, N. Y., favoring the passage of House bill 16, for the erection of a statue to the late Brigadier-General Count Pulaski at Washington, D. C.—to the Committee on the Library.

By Mr. BROMWELL: Petition of William C. Biles and other citizens of Cincinnati, Ohio, in favor of House bills 170 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

Also, papers to accompany House bill 13503, granting an increase of pension to Charles Haltenhof—to the Committee on Pensions.

By Mr. BURKETT: Petition of 494 soldiers of the civil war, for the passage of House bill 7475, for additional homestead land—to the Committee on the Public Lands.

Also, letter of D. W. Pierson and other communications in relation to monetary conditions in the Philippine Islands—to the Committee on Insular Affairs.

Also, petition of the National Association of State Dairy and Food Departments, in favor of uniform legislation for the conduct and operation of said departments—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Auburn, Nebr., asking for the appointment of a commission to investigate woman suffrage in the Western States—to the Committee on the Judiciary.

By Mr. BURLEIGH: Resolutions of the Maine State Board of Trade, Portland, Me., in regard to the bankruptcy law—to the Committee on the Judiciary.

By Mr. CONRY: Petition of Boston Fruit Produce Exchange, relative to the findings of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. CURRIER: Petitions of Woman's Christian Temperance Unions of Woodville, Antrim, and Meriden, N. H., for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

By Mr. DAVEY: Resolutions of American Association of Masters and Pilots of Steam Vessels, No. 18, of New Orleans, La., favoring House bill 10158, removing all discrimination against American vessels in the coasting trade—to the Committee on Interstate and Foreign Commerce.

By Mr. DRAPER: Resolutions of Hudson River Lodge, No. 365, Troy, N. Y., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. EVANS: Papers to accompany House bill 9987, granting a pension to Aaron Young—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolutions of Congress Club, of Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HANBURY: Resolutions of Congress Club, of Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, letters of Sanderson & Son and Atlantic Transport Company, New York, protesting against the passage of House bill 9059, known as the Tawney bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL: Petitions of Polish societies of South River, Perth Amboy, and Sayreville, N. J., favoring House bill 16, for the erection of an equestrian statue to the late General Pulaski at Washington, D. C.—to the Committee on the Library.

By Mr. HULL: Protest of Business Men's Mutual Association of Pella, Iowa, against the enactment of House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. KERN: Resolutions of Federal Labor Union No. 8714, Tilden, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LACEY: Resolutions of Carpenters' Union No. 767, of Ottumwa, Iowa, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. LINDSAY: Resolutions of Congress Club, of Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUDENSLAGER: Resolutions of Central Labor and Trades Council of Bridgeton, N. J., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MANN: Petition of Retail Merchants' Protective Association of New Brunswick, N. J., indorsing the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Chicago Electrical Association, favoring the passage of the metric system bill—to the Committee on Coinage, Weights, and Measures.

By Mr. McCALL: Petition of Boston Fruit and Produce Exchange, of Boston, Mass., in favor of legislation that will enable the Interstate Commerce Commissioners to enforce their findings—to the Committee on Interstate and Foreign Commerce.

By Mr. MEYER of Louisiana: Resolution of American Association of Masters and Pilots of Steam Vessels, No. 18, New Orleans, La., in favor of House bill No. 10158, to remove all discrimination against American vessels in the coasting trade—to the Committee on the Merchant Marine and Fisheries.

By Mr. MORRIS: Petition of Polish National Progress Society, of Duluth, Minn., for an appropriation for a monument to the memory of Maj. Gen. Henry Knox—to the Committee on the Library.

Also, resolutions of Martin Clancy Division, No. 350, Railway Conductors, Two Harbors, Minn., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. PEARRE: Resolutions of Machinists' Union No. 213; Potomac Lodge, No. 2, and Independent Trades Council, all of Cumberland, Md., for the construction of warships in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolution of the International Association of Machinists, favoring the continued exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. PERKINS: Paper to accompany House bill for the relief of John Scott—to the Committee on Claims.

By Mr. ROBINSON of Indiana: Petition of Brotherhood of Stationary Firemen No. 40, of Fort Wayne, Ind., favoring the restriction of the immigration of cheap labor from the south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. RUPPERT: Resolutions of the United Neckwear Cutters' Union No. 6939, of New York, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolutions of the National Hay Association, favoring amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Illinois: Resolutions of Federal Labor Union, No. 9587, of Creal Springs, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SMITH of Kentucky: Paper to accompany House bill 13516, granting a pension to Addie L. McFelia—to the Committee on Invalid Pensions.

By Mr. SPERRY: Resolutions of Horse Nail Workers' Union of Hartford, Conn., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SIMS (by request): Petition of Lee Sroup and other citizens, in favor of House bills 170 and 179—to the Committee on Ways and Means.

By Mr. TIRRELL: Petition of Boston Fruit and Produce Exchange, relative to the findings of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. VANDIVER: Papers to accompany House bill for the relief of the heirs at law of H. S. Thompson, deceased—to the Committee on War Claims.

## SENATE.

FRIDAY, April 11, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. WELLINGTON, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

## REGULATIONS FOR EXCLUSION OF CHINESE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 9th instant, the departmental regulations relating to Chinese exclusion and the date and authority by which such regulations were adopted; which, with the accompanying papers, was ordered to lie on the table, and be printed.

## ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 291) granting a pension to Christina Heitz;

A bill (H. R. 1476) granting an increase of pension to Henry F. Benson;

A bill (H. R. 1485) granting an increase of pension to Thompson B. Moore;